

CONFERENCE COMMITTEE ON SENATE BILL NO. 16.

The Speaker announced the following conference committee on Senate bill No. 16:

Messrs. Teer, Cox, Foster, Hall and Smyth.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 55, to the Judiciary Committee.

Senate bill No. 35, to the Committee on Education.

HOUSE BILL ON FIRST READING.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee as follows:

By Mr. Rawlins:

H. B. No. 79, A bill to be entitled "An Act to amend Article 1728 of the Revised Civil Statutes of Texas, as amended by Senate bill No. 7 at the Regular Session of the Fortieth Legislature."

Referred to Judiciary Committee.

ADJOURNMENT.

Mr. Kemble moved that the House adjourn until 10 o'clock a. m. next Tuesday.

Mr. Teer moved that the House adjourn until 10 o'clock a. m. next Monday.

The motion of Mr. Teer prevailed, and the House, accordingly, at 3:40 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

THIRTEENTH DAY.

(Monday, May 30, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Satterwhite.

The roll was called and the following members answered to their names:

Acker.	Black.
Albritton.	Boggs.
Alexander.	Bonham.
Avis.	Boon.
Barnett.	Branch.
Barron.	Brown.
Bass.	Conway.
Beck.	Cornwell.
Bird.	Cox.

Cummings.
Daniel.
Davis.
DeBerry.
Denman.
Duvall.
Enderby.
Eickenroht.
Farrar.
Faulk.
Fly.
Forbes.
Foster.
Gibson.
Gilbert.
Graves.
Gray.
Hall.
Harding.
Harman.
Hefley.
High.
Holder.
Holland.
Johnson
of Dimmit.
Jones.
Justice.
Kayton.
Keeton.
Kennedy.
Kincaid.
King of
Throckmorton.
Kirkland.
Land.
Lewis.
Lipscomb.
Long.
Loy.
McCombs.
McGill.
McKean.
Merritt.
Minor.
Montgomery.
Morse.
Moursund.
Murphy.
Nabors.
Nicholson.
Olsen.

Parrish of Travis.
Pavlica.
Petsch.
Poage.
Pool.
Pope.
Porter.
Powell.
Purl.
Rawlins.
Reagan.
Renfro of Angelina.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Rowell.
Runge.
Sanders.
Satterwhite.
Shearer.
Sheats.
Shirley.
Simmons.
Sinks.
Smith of Nueces.
Smith of Smith.
Smyth.
Snelgrove.
Stell.
Stevenson.
Storey.
Stout.
Swain.
Taylor.
Teer.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Wallace
of Freestone.
Wallace of Smith.
Ware.
Wassell.
Webb.
Wells.
Whitaker.
Williams of Travis.
Williamson.
Woodall.
Young.

Absent.

Anderson.	Johnson of Anderson.
Bateman.	Kemble.
Brice.	Kenyon.
Dielmann.	Kinnear.
Dunlap.	Kirby.
Finlay.	Loftin.
Fuchs.	Masterson.
Gates.	Parish of Runnels.
Hagaman.	Pearce.
Hogg.	Shaver.
Hornaday.	Smith of Atascosa.
Jacks.	Smith of El Paso.

Sutton. Williams of Sabine.
Walker. Woodruff.
Wallace of Panola.

Absent—Excused.

King of Hopkins.

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of sickness:

Mr. King of Hopkins for today, on motion of Mr. Gray.

Mr. Gates for today, on motion of Mr. Rogers of Hays.

Mr. Fuchs for today, on motion of Mr. Boggs.

Mr. Pearce for today, on motion of Mr. Black.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Smith of Atascosa and Mr. Powell:

H. B. No. 80, A bill to be entitled "An Act to amend Article 779, Revised Civil Statutes of the State of Texas, authorizing commissioners courts to invest sinking funds accumulated for the redemption and payment of bonds issued by such county, political subdivision or defined district thereof, and prescribing the securities in which such funds may be invested."

Referred to Judiciary Committee.

By Mr. Smith of Atascosa and Mr. Hornaday:

H. B. No. 81, A bill to be entitled "An Act amending Section 3, Chapter 16, General Laws passed by the Thirty-ninth Legislature, at its First Called Session, by adding thereto Section 3a, providing that any road district, a portion of which is proposed to be incorporated into a new road district, should embrace the whole or any part of any levee improvement district," etc.

Referred to Committee on Highways and Motor Traffic.

By Mr. Teer:

H. B. No. 82, A bill to be entitled "An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State government

named herein for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Eickenroht:

H. B. No. 83, A bill to be entitled "An Act amending Chapter 13 of Title 50 of the Revised Civil Statutes of Texas, 1925, by adding Article 3118A and 3118B, providing, respectively, for the selection of county executive committees and county chairmen of political parties in Texas whose nominee for Governor in the preceding general election received as many as ten thousand votes and less than one hundred thousand votes; by adding Article 3140A, providing that Articles 3134, 3135, 3137, 3138, 3139 and 3140 of said statutes shall apply to parties whose nominee for Governor in the next preceding general election received as many as ten thousand votes and less than one hundred thousand votes; by adding Article 3141A, to provide for the basis of representation in State and district conventions of such parties; amending Article 3154 so as to provide for the notice to be given of the time and place of the holding of precinct and county conventions, by adding Articles 3167A and 3167B, providing for the holding of precinct, county, district and State conventions to national conventions by political parties whose nominee for Governor in the preceding general election received as many as ten thousand votes and less than one hundred thousand votes, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Satterwhite:

H. B. No. 84, A bill to be entitled "An Act amending Article 725, Revised Civil Statutes of 1925, authorizing the issuance of refunding bonds bearing the same or a lower rate of interest, in lieu of any valid outstanding bonds which have been issued under authority of Title 22 or Title 71, Revised Civil Statutes of 1925, or provisions of law which have been amended or superseded thereby, and adding Article 725b, validating all refunding bonds that have heretofore been issued and approved by the Attorney General for the purpose of refunding valid outstanding bonds of any of the counties of Texas, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Williamson (by request):

H. B. No. 85, A bill to be entitled "An Act to prevent stealing of motor vehicles in this State and to provide means by which fraud may be prevented in connection with the registration of such motor vehicles; providing for the issuance of certificates of title and registration, the same to serve as such and as a registration receipt and supersede present registration receipts, said certificate to be sealed to each motor vehicle registered as provided in this act; making it unlawful to operate a motor vehicle on the public highways or public streets of this State without such certificate being so attached to said vehicle as provided in this act; enacting provisions permitting the use of dealers' numbers; regulating transfers of title and registration of motor vehicles; and their use on the public highways and streets in this State; enacting provisions relative to motor vehicles and their registration and use on the public highways and streets necessary in order to prevent theft and fraud as aforesaid; providing for necessary cost and expense of said police regulation and the operation of this act; enacting all things necessary and incidental to the main purpose and subject of this act whether mentioned in detail in this caption or not; providing the rule of construction in event any part or provision should be held invalid; providing the effective date of the act and when said system relative to motor vehicles shall begin to operate, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Murphy:

H. B. No. 86, A bill to be entitled "An Act creating a more efficient road system for Polk county, Texas; vesting the commissioners court with authority to lay out, drain, repair and maintain such system of roads, and make contracts therefor; purchase teams, tools and machinery therefor; to make payment therefor; giving said court authority to procure and occupy lands and make payment therefor; providing for the acquisition of road building materials and make payment therefor; providing for compensation to be paid to the county commissioners in connection with their official duties; official road commissioners of their respective precincts, providing that able-bodied men between the ages of twenty-one and forty-five years shall be liable for road

duty and shall pay road tax each year therefor, and providing for the assessment and collection thereof; making it a misdemeanor to fail or refuse to pay such road tax and fixing a penalty therefor; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Williamson:

H. B. No. 87, A bill to be entitled "An Act amending Article 1434 of the Penal Code by providing for the transfer of the certified copy of the tax collector's receipt issuing a general dealer's distinguishing number in lieu of the tax collector's receipt for the license fee issued for the current year."

Referred to Committee on Highways and Motor Traffic.

By Mr. Petsch:

H. B. No. 88, A bill to be entitled "An Act authorizing counties to pay taxes on school lands owned by such counties, pursuant to Section 6a of Article 7 of the State Constitution, recently adopted by the people; prescribing the funds out of which any such taxes may be paid, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Brown and Mr. Land:

H. B. No. 89, A bill to be entitled "An Act to amend Articles 2922b, 2922h and 2922i of Chapter 9a, Revised Civil Statutes, 1925, so as to authorize the issuance and sale of bonds by trustees of rural high school districts, and to authorize the assumption by rural high school districts of the bonded or other valid indebtedness of included common or independent school districts; authorizing the trustees of rural high school districts, when authorized by majority vote of the property taxpayers of such districts, to levy and collect an annual ad valorem tax not to exceed \$1.00 on the \$100 valuation of taxable property of the district for the maintenance of schools therein and a tax not to exceed 50 cents on the \$100 valuation of taxable property of the district for the purpose of the payment of accounts legally contracted in purchasing, constructing, repairing or equipping public free school buildings within the limit of such districts and the purchase of necessary sites therefor; provided, that the amount of maintenance tax together with the amount of bond tax of the district shall never exceed \$1.00

on the \$100 valuation of taxable property, and declaring an emergency."

Referred to Committee on Education.

By Mr. Shirley:

H. B. No. 90, A bill to be entitled "An Act to create a special and more efficient road system for Collin county, in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemnation of lands and other property by said county for the purpose of laying out and establishing roads and for straightening, widening or draining any established road, and for the condemnation of any timber, earth or other material for the construction and maintenance of public roads, and to provide for compensation of the material used; and providing for the working of county convicts on the public roads and county farm and the purchase of supplies for such convicts, and the rewards for the capture of escaped convicts, and for the commutation of sentences for faithful service and good behavior, and providing the powers and duties and liabilities of road overseers, and to provide for the summoning of road hands and teams for road work and for the allowance of time for services of hands and teams on public roads, and fixing the penalty for violation of same, and relieving them from the performance of such work by the payment of three (\$3.00) dollars, and providing that delinquent poll taxpayers shall be liable for extra road duty of three days, and providing for the manner of summoning and working of all persons liable for road duty on the public roads who have not paid such road tax or such poll tax, and permitting substitution and payment of money in lieu of such service, and to provide for the manner of training and maintaining hedges along the public roads and the punishment for the failure to comply with, and for the allowance of extra time for road overseers, and to provide punishment for all who obstruct any drainway of any public road; and providing further, making this act cumulative of the general laws now in force, and to repeal Chapter 63 of the Acts of the Thirty-seventh Legislature, being a special road law for Collin county, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Pool:

H. B. No. 91, A bill to be entitled "An Act to authorize the formation of defined road districts comprising two or more counties; authorizing said districts by a two-thirds vote of the voters in each county to issue bonds or pledge the credit to levy taxes for the construction, maintenance and operation of macadamized, graveled or paved roads, or in aid thereof; providing the method of calling such election; providing for hearings upon the proposition to create such districts; providing the method for organizing such districts; providing the manner in which the roads of such districts may be laid out; providing and determining the form of administration of such districts; providing for the letting of contracts; prescribing the details of administrative control in the operation of the districts, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Long:

H. B. No. 92, A bill to be entitled "An Act to amend Article 7150, Revised Civil Statutes of Texas, 1925, providing for the exemption of certain property from taxation, by adding thereto another section, No. 1a."

Referred to Committee on Revenue and Taxation.

By Mr. Shirley:

H. B. No. 93, A bill to be entitled "An Act to provide a special road drag law for Collin county."

Referred to Committee on Highways and Motor Traffic.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Pool, House bill No. 66 was ordered not printed.

On motion of Mr. Rawlins, Senate bills Nos. 23, 24, 25 and 26 were ordered not printed.

HOUSE BILL NO. 57 ON SECOND READING.

On motion of Mr. Smith of Smith, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 57, A bill to be entitled "An Act amending Article 3107 of the Revised Civil Statutes of Texas, 1925, giving the executive committees of the political parties within this State the authority to determine the qualifications of the voters of such parties."

The Speaker laid the bill before the House, and it was read second time.

Mr. Smith of Smith offered the following amendment to the bill:

Amend House bill No. 57 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 3107 of the Revised Civil Statutes of Texas, 1925, be amended so as to hereafter read as follows:

"Nothing in this chapter shall be taken to prevent any political party, through its State Executive Committee, or its State convention, from determining and prescribing the qualifications for membership, and for the voting therein, to secure adherence to its tenets, principles and qualifications, for the accomplishment of its objects and purposes as lawfully exercised and practiced by said party aforesaid."

Mr. Faulk offered the following amendment to the amendment:

Amend amendment by adding the following: "Provided, no State Executive Committee of any political party shall ever disqualify any person for failure to own property, real or personal."

On motion of Mr. Fly, the amendment to the amendment was tabled.

Mr. Nabors offered the following amendment to the amendment:

Amend amendment to House bill No. 57 by adding at the end of Section 1 thereof the following: "Provided, that no person shall be denied the privilege of voting at any election merely because of the former political views held by such voter, nor because he may or may not belong to some secret order or any kind of an organization other than some other political party."

Signed—Nabors, Storey, Murphy.

Mr. Daniel moved that the bill and the pending amendments be re-referred to the Judiciary Committee.

Mr. Woodall moved the previous question on the pending amendments, the motion to re-refer and the engrossment of the bill, and the main question was ordered.

Question first recurring on the motion to re-refer the bill, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—50.

Anderson.	Conway.
Avis.	Cummings.
Beck.	Daniel.
Bird.	DeBerry.
Black.	Enderby.
Boggs.	Eickenroht.
Brown.	Faulk.

Graves.
Harding.
Hefley.
Justice.
Kayton.
Kennedy.
Kincaid.
Kirkland.
McCombs.
McGill.
Merritt.
Murphy.
Nabors.
Nicholson.
Olsen.
Pavlica.
Porter.
Powell.
Purl.

Acker.
Albritton.
Barnett.
Bass.
Branch.
Cornwell.
Cox.
Davis.
Denman.
Duvall.
Fly.
Forbes.
Foster.
Gibson.
Gilbert.
Gray.
Hall.
Harman.
High.
Holder.
Holland.
Johnson
of Dimmit.
Jones.
Keeton.
King of
Throckmorton.
Land.
Lewis.
Lipscomb.
Long.

Rogers of Hays.
Rowell.
Runge.
Sanders.
Sheats.
Snelgrove.
Stell.
Storey.
Stout.
Turner.
Wallace
of Freestone.
Webb.
Whitaker.
Williams of Travis.
Williamson.
Woodall.
Young.

Nays—60.

McKean.
Montgomery.
Morse.
Parrish of Travis.
Petsch.
Poage.
Pool.
Pope.
Reagan.
Renfro of Angelina.
Renfro of Mills.
Rogers of Shelby.
Satterwhite.
Shearer.
Shirley.
Simmons.
Sinks.
Smith of Nueces.
Smith of Smith.
Smyth.
Stevenson.
Swain.
Taylor.
Teer.
Tillotson.
Van Zandt.
Veatch.
Waddell.
Wallace of Smith.
Ware.
Wells.

Present—Not Voting.

Farrar.

Absent.

Alexander.	Hagaman.
Barron.	Hogg.
Bateman.	Hornaday.
Bonham.	Jacks.
Boon.	Johnson
Brice.	of Anderson.
Dielmann.	Kemble.
Dunlap.	Kenyon.
Finlay.	Kinnear.
Fuchs.	Kirby.
Gates.	Loftin.

Loy.	Smith of Atascosa.
Masterson.	Smith of El Paso.
Minor.	Sutton.
Moursund.	Walker.
Parish of Runnels.	Wallace of Panola.
Pearce.	Wassell.
Rawlins.	Williams of Sabine.
Shaver.	Woodruff.

Absent—Excused.

King of Hopkins.

Question recurring on the amendment by Mr. Nabors, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—80.

Avis.	Nabors.
Barnett.	Nicholson.
Bass.	Parrish of Travis.
Beck.	Pavlica.
Bird.	Petsch.
Boggs.	Pool.
Bonham.	Pope.
Boon.	Porter.
Conway.	Purl.
Cornwell.	Reagan.
Cox.	Renfro of Angelina.
Cummings.	Rogers of Hays.
Daniel.	Rowell.
Davis.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Farrar.	Shearer.
Faulk.	Sheats.
Gibson.	Simmons.
Gilbert.	Smith of Nueces.
Graves.	Smith of Smith.
Gray.	Smyth.
Hall.	Snelgrove.
Harding.	Stell.
Harman.	Stevenson.
Hefley.	Storey.
Holder.	Stout.
Holland.	Swain.
Jones.	Teer.
Justice.	Turner.
Kennedy.	Veatch.
King of	Waddell.
Throckmorton.	Wallace of Smith.
Kirkland.	Ware.
Lipscomb.	Wassell.
Long.	Webb.
McCombs.	Wells.
McGill.	Whitaker.
Merritt.	Woodall.
Montgomery.	Young.
Murphy.	

Nays—24.

Albritton.	DeBerry.
Anderson.	Fly.
Black.	Forbes.
Branch.	Foster.

High.	Olsen.
Johnson	Poage.
of Dimmit.	Rogers of Shelby.
Kayton.	Sinks.
Keeton.	Taylor.
Land.	Tillotson.
Lewis.	Van Zandt.
McKean.	Williams of Travis.
Morse.	Williamson.

Present—Not Voting.

Powell.

Absent.

Acker.	Kinnear.
Alexander.	Kirby.
Barron.	Loftin.
Bateman.	Loy.
Brice.	Masterson.
Brown.	Minor.
Denman.	Moursund.
Dielmann.	Parish of Runnels.
Dunlap.	Pearce.
Eickenroht.	Rawlins.
Finlay.	Renfro of Mills.
Fuchs.	Shaver.
Gates.	Shirley.
Hagaman.	Smith of Atascosa.
Hogg.	Smith of El Paso.
Hornaday.	Sutton.
Jacks.	Walker.
Johnson	Wallace
of Anderson.	of Freestone.
Kemble.	Wallace of Panola.
Kenyon.	Williams of Sabine.
Kincaid.	Woodruff.

Absent—Excused.

King of Hopkins.

The amendment, as amended, was then adopted by the following vote:

Yeas—83.

Albritton.	Graves.
Avis.	Gray.
Barnett.	Hall.
Bass.	Harding.
Beck.	Harman.
Bird.	High.
Boggs.	Holder.
Bonham.	Holland.
Branch.	Johnson
Brown.	of Dimmit.
Conway.	Jones.
Cornwell.	Justice.
Cox.	Keeton.
Cummings.	King of
Davis.	Throckmorton.
DeBerry.	Land.
Duvall.	Lipscomb.
Enderby.	Long.
Fly.	McKean.
Forbes.	Montgomery.
Foster.	Morse.
Gibson.	Murphy.
Gilbert.	Nabors.

Nicholson.	Smith of Smith.
Olsen.	Snelgrove.
Parrish of Travis.	Stell.
Petsch.	Stevenson.
Pool.	Storey.
Pope.	Stout.
Powell.	Swain.
Purl.	Taylor.
Rawlins.	Teer.
Reagan.	Tillotson.
Renfro of Mills.	Turner.
Rogers of Hays.	Van Zandt.
Rogers of Shelby.	Veatch.
Rowell.	Waddell.
Satterwhite.	Wallace of Smith.
Shearer.	Ware.
Sheats.	Wassell.
Shirley.	Webb.
Simmons.	Wells.
Sinks.	Williams of Travis.
Smith of Nueces.	Young.

Nays—17.

Anderson.	McGill.
Black.	Pavlica.
Boon.	Poage.
Daniel.	Renfro of Angelina.
Faulk.	Sanders.
Hefley.	Whitaker.
Kayton.	Williamson.
Kirkland.	Woodall.
Lewis.	

Present—Not Voting.

Farrar.	Kincaid.
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Absent.

Acker.	Loftin.
Alexander.	Loy.
Barron.	Masterson.
Bateman.	McCombs.
Brice.	Merritt.
Denman.	Minor.
Dielmann.	Moursund.
Dunlap.	Parish of Runnels.
Eickenroht.	Pearce.
Finlay.	Porter.
Fuchs.	Runge.
Gates.	Shaver.
Hagaman.	Smith of Atascosa.
Hogg.	Smith of El Paso.
Hornaday.	Smyth.
Jacks.	Sutton.
Johnson	Walker.
of Anderson.	Wallace
Kemble.	of Freestone
Kennedy.	Wallace of Panola.
Kenyon.	Williams of Sabine.
Kinnear.	Woodruff.
Kirby.	

Absent—Excused.

King of Hopkins.

Mr. Smith of Smith, by unanimous consent, offered the following amendment to the bill:

Amend House bill No. 57 by striking out all above the enacting clause and inserting in lieu thereof the following: "An Act amending Article 3107 of the Revised Civil Statutes of Texas, 1925, and allowing political parties to determine and prescribe qualifications for membership, and for voting therein, to secure adherence to its tenets, principles and qualifications for the accomplishment of its objects and purposes, as lawfully exercised and practiced by said party aforesaid."

The amendment was adopted.

House bill No. 57 was then passed to engrossment.

Reason for Vote.

I voted against House bill No. 57 because it confers too much authority on thirty-one members. I sought to amend the bill by providing that these thirty-one men shall never prescribe property holding as a qualification for voting. As passed, the act empowers the State Executive Committee to prescribe without limit the qualifications of a voter, and they have ample power under the act to say that a man must be a Methodist, a Mason and a millionaire. This savors of autocracy and I will not sanction it by my vote. I will support any reasonable bill to curb the negro vote.

FAULK.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 30, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Free Conference Committee report on Senate bill No. 2 by vote of 29 yeas, 0 nays.

The Senate has agreed to concur in House amendments to Senate bill No. 12 by vote of 29 yeas, 0 nays.

Has passed

H. B. No. 7, A bill to be entitled "An Act to appropriate two million dollars, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to supplement the State available school fund derived from all other sources for the support and maintenance of the public free schools of the State of Texas; for the scholastic year beginning September 1, 1927, and ending August 31, 1928, and three million four hundred eighty thousand dollars to be appropriated for

the same purpose for the scholastic year beginning September 1, 1928, and ending August 31, 1929, to enable the State Board of Education to declare a per capita apportionment of the State available school fund of fifteen dollars for each scholastic year of the biennium, 1927-1929; providing that for the year beginning September 1, 1927, and ending August 31, 1928, the Comptroller is directed to transfer one million dollars, or so much thereof as may be necessary, on the first day of April, 1928, and one million dollars, or so much thereof as may be necessary, on the first day of July, 1928; and providing further, that the Comptroller is directed to transfer one million seven hundred forty thousand dollars, or so much thereof as may be necessary, on the first day of April, 1929, and one million seven hundred forty thousand dollars, or so much thereof as may be necessary, on the first day of July, 1929, and place it to the credit of the available school fund to carry out the provisions of this act, and declaring an emergency," with amendments.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

COMMUNICATION FROM MRS. DAN MOODY.

The Speaker laid before the House and had read the following communication:

Executive Mansion,
Austin, Texas.

The members of the House of Representatives of the Fortieth Legislature, and their ladies, are cordially invited to attend a garden party at the Executive Mansion, on Tuesday evening, May 31, from 8 until 10 o'clock.

MRS. DAN MOODY.

RECESS.

On motion of Mr. Williamson, the House at 12:05 o'clock p. m. took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Mr. Satterwhite.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Wallace of Freestone, Senate bill No. 7 was ordered not printed.

On motion of Mr. Brown, Senate bill No. 35 was ordered not printed.

On motion of Mr. Gilbert, House bills Nos. 74 and 75 were ordered not printed.

On motion of Mr. Petsch, House bill No. 88 was ordered not printed.

HOUSE BILL NO. 7 WITH SENATE AMENDMENTS.

Mr. Young called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 7, A bill to be entitled "An Act to appropriate two million dollars, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to supplement the State available school fund derived from all other sources for the support and maintenance of the public free schools of the State of Texas for the scholastic year beginning September 1, 1927, and ending August 31, 1928, and three million four hundred eighty thousand dollars to be appropriated for the same purpose for the scholastic year beginning September 1, 1928, and ending August 31, 1929, to enable the State Board of Education to declare a per capita apportionment of the State available school fund of fifteen dollars for each scholastic year of the biennium, 1927-1929; providing that for the year beginning September 1, 1927, and ending August 31, 1928, the Comptroller is directed to transfer one million dollars, or so much thereof as may be necessary, on the first day of April, 1928, and one million dollars, or so much thereof as may be necessary, on the first day of July, 1928; and providing further, that the Comptroller is directed to transfer one million seven hundred forty thousand dollars, or so much thereof as may be necessary, on the first day of April, 1929, and one million seven hundred and forty thousand dollars, or so much thereof as may be necessary, on the first day of July, 1929, and place it to the credit of the available school fund to carry out the provisions of this act, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Young moved that the House do not concur in the Senate amendments, and that a Free Conference Committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

SENATE BILL NO. 7 ON SECOND READING.

On motion of Mr. Wallace of Freestone, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 7, A bill to be entitled "An Act making an appropriation for the year ending August 31, 1928, and for the year ending August 31, 1929, the same or so much thereof as may be necessary to be for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all school children of scholastic age living in small and financially weak districts, etc., and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Wallace of Freestone offered the following amendments to the bill:

Committee Amendment No. 1.

Amend Senate bill No. 7 by striking out of the said bill all below the enacting clause and inserting in lieu thereof the following:

Section 1. For the purpose of promoting the public school interests of rural schools and equalizing the educational opportunities afforded by the State to all children of scholastic age living in small and financially weak school districts, there is hereby appropriated out of the general revenue one and a half million (\$1,500,000) dollars, or such part thereof as may be necessary, for the school year ending August 31, 1928, and one and a half million (\$1,500,000) dollars, or such part thereof as may be necessary, for the school year ending August 31, 1929, to be used in accordance with the following provisions of this act.

Sec. 2. State aid under the provisions of this act may be distributed in such way to assist all schools of not more than 300 scholastic enrollment located in common or independent districts or more than 400 scholastics to maintain the school solely out of State and county available funds for a term not to exceed six months; provided that if the school has sufficient funds from State and county available, together with its local maintenance tax, to maintain the desired term, not to exceed nine months, it shall not be eligible to receive State aid, the granting of such aid to be subject to the following conditions:

1. Each school receiving this aid shall be provided with a suitable school house, erected in accordance with the Texas School House Building Law, or meeting substantially the requirements thereof, which shall be well located on a plot of ground not less than one acre in extent, properly drained.

2. Each such school shall be provided with the necessary desks, seats and blackboards, with library, maps and charts, with such heating and ventilating equipment and such sanitary closets as are approved by the State Superintendent or his representative.

3. Teachers employed in State aid schools shall furnish to the State Superintendent satisfactory evidence of professional training and teaching ability.

4. No common or independent school district shall be eligible to receive aid unless it shall be providing for the annual support of its schools by voting and levying a local school tax of not less than seventy-five cents on the hundred dollars of property valuation, and provided further that the property valuation shall not be less than said property is valued for State and county purposes, and provided further that the above requirements of a maintenance tax levy shall not apply to districts maintaining a school for Indians.

5. Each school receiving State aid under the provisions of this act shall teach the common school subjects as prescribed by law, and shall follow the State course of study and shall be required to observe the school laws and rulings of the State Superintendent of Public Instruction and State Board of Education.

6. Under the provisions of this act no one-teacher school, with an enrollment of more than twenty pupils, shall be eligible to receive aid, if said school offers work above the seventh grade, as outlined by the State course of study.

Sec. 3. Schools of not more than three hundred (300) and not less than twenty (20) scholastics located in districts of not more than 400 scholastic census enrollment, including transfers, complying with the foregoing conditions may send to the State Superintendent on blanks provided by the State Department of Education, a list of teachers employed in the school, showing the monthly salary, experience and training of each, together with an itemized statement of expected receipts and expenditures, the length of term, and such other information as may be required. The

State Superintendent, with the approval of the State Board of Education, may then grant to the school such an amount of this fund, which, together with State and county available funds, may be necessary to maintain the school for a term not to exceed six months; provided that if the school has sufficient funds from State and county available, together with its local maintenance tax, to maintain the desired term not to exceed nine months, it shall not be eligible to receive State aid.

It is hereby provided further that schools in sparsely settled counties, having less than 1400 scholastic population in the common school districts, may be exempted from the minimum restriction of 20 scholastics, provided that each district applying for aid votes and levies the limit of local support as provided in this bill.

Sec. 4. The maximum salaries to be paid out of State and county funds shall be according to a schedule approved by the State Board of Education. No part of the aid herein provided for shall be used for increasing the salary of any teacher, but the funds provided for in this act shall be used for the exclusive purpose of extending the length of the school term of the schools situated in the district receiving such aid. Any district violating any of the provisions of this act shall forfeit all rights to such aid and be disqualified to receive aid of any nature under any section herein provided. Should any school, which would otherwise be eligible to receive funds under this act, agree, promise, or contract with teachers to pay a larger salary, during the term provided out of State funds, than is to be paid during the remainder of the term out of local funds, then such school shall forfeit its right to receive aid.

Any county in this State that has a special equalization fund, derived from State and county available funds, shall receive from the appropriation herein provided a sum not to exceed twelve thousand five hundred dollars (\$12,500) for each year of the biennium to supplement the equalization fund thereof, subject to the approval of the State Board of Education.

Sec. 5. In deciding upon the amount of aid to be granted to districts under the provisions of this act, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall allot the money herein appropriated to schools upon the follow-

ing basis: One teacher for any number of scholastics from 20 to 35, inclusive; two teachers for any number of scholastics from 36 to 65, inclusive; three teachers for any number from 66 to 95, inclusive; four teachers for any number from 96 to 125, inclusive; five teachers for any number from 126 to 155, inclusive; and at the same rate for additional teachers. The basis for calculation shall be the net scholastic enumeration of the district for the current year, which must include all transfers into the district, and from which shall be deducted all transfers from the district; provided that in unusual or extraordinary conditions of actual enrollment an adjustment as to the number of teachers may be made by the State Superintendent, with the approval of the State Board of Education.

Sec. 6. In case of extraordinary and unusual conditions where it can be shown that its own resources are insufficient, the State Board of Education may arrange for the support of a rural school from State aid funds for a period of not exceeding six months, even though the school district be unable to comply with the foregoing conditions; provided, however, that the amount of the tax herein provided for must be levied and collected by said school district, and this requirement cannot be waived by the State Board of Education; and provided further that the amount granted in such case shall not exceed \$300.

Sec. 7. State aid to the amount of not more than \$300 to any one school in a district which will provide equipment for proper instruction and demonstration in farm mechanics and carpentry, gardening and agriculture, home economics and sanitation, sewing, cooking and canning, according to plans furnished and approved by the State Department of Education, may be granted from the appropriation authorized by this act. Each school in which such equipment has been placed by previous appropriations may receive \$100 for each year of this appropriation, provided the teacher employed is approved by the State Superintendent as competent for each instruction and a term report on the work done is made by the teacher in charge. It is expressly provided that the school district which applies for special aid under this section must be complying with the foregoing conditions as stated in Section 3 of this act.

Sec. 8. It is hereby further provided that when a rural high school district is legally formed, either by action of the county board of education or by election of resident voters, containing not less than 40 square miles and not more than 700 scholastics of either white or colored population and providing a building and equipment, which shall meet the approval of the State Superintendent of Public Instruction, and employing three teachers, including the principal doing high school work exclusively, or such number of teachers as in the judgment of the State Superintendent of Public Instruction is needed and necessary, it may be granted out of the yearly appropriations of this act the sum of five hundred (\$500) dollars for each entire district included in said grouping; provided such rural high school district is one unit in a countywide system of such high school districts mapped and planned for the entire county that has been approved by the State Superintendent of Public Instruction; provided that nothing herein shall prohibit any one such unit from receiving such aid as is provided herein on account of any other units in said county failing to comply with this act or to put into effect the plans of the county board of education in mapping out said county.

Sec. 9. Rural high school districts, formed in accordance with Section 8 of this act, and all consolidations heretofore formed under provisions of State Aid Laws of 1923 and 1925, which make provisions for transportation of pupils to and from said schools at public expense, may be granted from this fund in addition to the amount provided in Section 8, a sum equal to one-half the cost of transportation, amount not to exceed \$300 for each auto truck required, provided contracts for such transportation have been approved by the State Superintendent.

Sec. 10. Except as authorized in Sections 7, 8 and 9, no district shall receive more than one thousand (\$1000) dollars in any one year under the provisions of this act.

Sec. 11. Duties of the State Superintendent of Public Instruction.—It shall be the duty of the State Superintendent, and he is hereby authorized, to take such action and to make such rules and regulations not inconsistent with the terms of this act, as, in his opinion, may be necessary to carry out the provisions and intentions of this act and for the best interests of the schools for whose

benefit the funds are appropriated. It shall be the duty of the State Superintendent to send one of the rural school supervisors, hereby authorized, who shall make a thorough investigation in person of the grounds, buildings, equipment, teaching force, and financial condition of each school applying for aid under the provisions of this act, and aid shall not be granted unless it can be shown that all provisions of this act and regulations made by the State Superintendent have been complied with, and that such amount of aid is actually needed.

Sec. 12. Warrants and Reports.—Warrants for all money granted under the provisions of this act shall be transmitted by the State Superintendent of Public Instruction to treasurers or depositories of school districts to which State aid is granted in the same manner as warrants for State apportionment are now transmitted, and it shall be the duty of all treasurers or depositories to make annually itemized reports under oath to the State Superintendent of Public Instruction of the expenditures of all money granted under the provisions of this act.

Sec. 13. Apportionment Privileges.—Rural schools accepting the provisions of this act shall be entitled to share in the distribution of State and county available school funds, and in all other school funds in the same manner, as all other school districts; and in case high school grades are maintained, the community shall still be entitled to participate in the distribution of any State aid that may be extended by the Legislature of Texas for vocational or industrial purposes to high schools of the State.

Sec. 14. The fact that many schools in rural districts are in need of aid, and that public policy requires that proper provisions be made for the maintenance and support of our school with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this act before the schools can take advantage of the provisions stated herein, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this act take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 2.

Amend Senate bill No. 7 by striking

out all above the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act appropriating one and one-half million (\$1,500,000) dollars per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with conditions herein specified, providing certain prerequisites for the granting of such aid; providing for the maintenance of all rural schools which meet the requirements a term not exceeding six months solely out of State and county school funds; providing aid for schools where extraordinary conditions prevent schools meeting all stated requirements; providing limited equipment for rural schools that will afford instruction and demonstration in home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a county-wide plan; providing for the administration of this fund by the State Department of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The amendments were severally adopted.

Senate bill No. 7 was then passed to third reading.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum until 4 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Williamson, the Sergeant-at-Arms was instructed to bring in all absent members within the city of Austin.

SENATE BILL NO. 7 ON THIRD READING.

Mr. Wallace of Freestone moved that the constitutional rule requiring bills

to be read on three several days be suspended and that Senate bill No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.	Loy.
Alexander.	McCombs.
Anderson.	McGill.
Avis.	Merritt.
Barnett.	Minor.
Barron.	Montgomery.
Bass.	Murphy.
Bird.	Nabors.
Black.	Pavlica.
Boggs.	Petsch.
Bonham.	Poage.
Boon.	Pool.
Branch.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Renfro
Daniel.	of Angelina.
Davis.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Denman.	Rowell.
Duvall.	Runge.
Enderby.	Sanders.
Eickenroht.	Satterwhite.
Farrar.	Shearer.
Faulk.	Sheats.
Fly.	Shirley.
Forbes.	Simmons.
Foster.	Sinks.
Gibson.	Smith of Smith.
Gilbert.	Snelgrove.
Graves.	Stell.
Gray.	Stevenson.
Hall.	Stout.
Harding.	Swain.
Harman.	Taylor.
Hefley.	Teer.
High.	Tillotson.
Holland.	Turner.
Johnson	Van Zandt.
of Dimmit.	Veatch.
Justice.	Waddell.
Kayton.	Wallace
Kennedy.	of Freestone.
Kincaid.	Wallace of Smith.
King of	Ware.
Throckmorton.	Wells.
Kinnear.	Whitaker.
Kirkland.	Williams
Land.	of Travis.
Lewis.	Williamson.
Lipscomb.	Woodall.
Long.	Young.

Nays—1.

Olsen.

Present—Not Voting.

Morse.

Absent.

Albritton.	Masterson.
Bateman.	McKean.
Beck.	Moursund.
Brice.	Nicholson.
Cox.	Parish of Runnels.
Dielmann.	Parrish of Travis.
Dunlap.	Pearce.
Finlay.	Rawlins.
Fuchs.	Reagan.
Gates.	Renfro of Mills.
Hagaman.	Shaver.
Hogg.	Smith of Atascosa.
Holder.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smyth.
Johnson	Storey.
of Anderson.	Sutton.
Jones.	Walker.
Keeton.	Wallace of Panola.
Kemble.	Wassell.
Kenyon.	Webb.
Kirby.	Williams of Sabine.
Loftin.	Woodruff.

Absent—Excused.

King of Hopkins.

The Speaker then laid Senate bill No. 7 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 62 ON THIRD READING.

On motion of Mr. Denman, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 62, A bill to be entitled "An Act to ratify and confirm the title of J. H. Cole and all other persons holding a chain of title from W. H. Walters in and to a tract of land in Nacogdoches county, known as the W. H. Walters labor of land, and containing 177 acres of land, and to disavow and relinquish the right, claim and title of the State of Texas in and to said land."

The Speaker then laid House bill No. 62 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 66 ON SECOND READING.

On motion of Mr. Pool, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 66, A bill to be entitled

"An Act to relieve various schools of the State by validating certain school districts and to validate bonds issued and taxes levied by such districts for school purposes, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 66 ON THIRD READING.

Mr. Pool moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 66 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.	King of
Alexander.	Throckmorton.
Anderson.	Kirkland.
Avis.	Land.
Barnett.	Lewis.
Barron.	Lipscomb.
Bass.	Long.
Bird.	Loy.
Black.	McCombs.
Boggs.	McGill.
Bonham.	McKean.
Branch.	Minor.
Brown.	Montgomery.
Conway.	Morse.
Cornwell.	Moursund.
Cummings.	Murphy.
Daniel.	Nabors.
Davis.	Olsen.
DeBerry.	Pavlica.
Denman.	Petsch.
Duvall.	Poage.
Enderby.	Pool.
Eickenroht.	Pope.
Farrar.	Porter.
Fly.	Powell.
Forbes.	Purl.
Foster.	Renfro
Gibson.	of Angelina.
Gilbert.	Rogers of Hays.
Graves.	Rogers of Shelby.
Gray.	Rowell.
Hall.	Runge.
Harding.	Sanders.
Harman.	Satterwhite.
Hefley.	Shearer.
High.	Sheats.
Holland.	Shirley.
Johnson	Simmons.
of Dimmit.	Sinks.
Justice.	Smith of Smith.
Kayton.	Smyth.
Keeton.	Snelgrove.
Kemble.	Stell.
Kennedy.	Stevens.
Kincaid.	Storey.

Stout.	Wallace of Smith.	Holland.	Rogers of Shelby.
Swain.	Ware.	Hornaday.	Rowell.
Taylor.	Wassell.	Johnson	Runge.
Teer.	Webb.	of Dimmit.	Sanders.
Tillotson.	Wells.	Justice.	Satterwhite.
Turner.	Whitaker.	Kayton.	Shearer.
Van Zandt.	Williams	Keeton.	Sheats.
Veatch.	of Travis.	Kennedy.	Shirley.
Waddell.	Williamson.	Kincaid.	Simmons.
Wallace	Woodall.	King of	Sinks.
of Freestone.	Young.	Throckmorton.	Smith of Smith.
Absent.		Kirkland.	Smyth.
Albritton.	Kirby.	Land.	Snelgrove.
Bateman.	Loftin.	Lewis.	Stell.
Beck.	Masterson.	Lipscomb.	Stevenson.
Boon.	Merritt.	Long.	Stout.
Brice.	Nicholson.	Loy.	Swain.
Cox.	Parish of Runnels.	McCombs.	Taylor.
Dielmann.	Parrish of Travis.	McGill.	Teer.
Dunlap.	Pearce.	McKean.	Tillotson.
Faulk.	Rawlins.	Minor.	Turner.
Finlay.	Reagan.	Montgomery.	Van Zandt.
Fuchs.	Renfro of Mills.	Morse.	Veatch.
Gates.	Shaver.	Moursund.	Waddell.
Hagaman.	Smith of Atascosa.	Murphy.	Wallace
Hogg.	Smith of El Paso.	Nabors.	of Freestone.
Holder.	Smith of Nueces.	Olsen.	Wallace of Smith.
Hornaday.	Sutton.	Pavlica.	Ware.
Jacks.	Walker.	Petsch.	Webb.
Johnson	Wallace of Panola.	Poage.	Wells.
of Anderson.	Williams	Pool.	Whitaker.
Jones.	of Sabine.	Porter.	Williams
Kenyon.	Woodruff.	Powell.	of Travis.
Kinnear.		Purl.	Williamson.
		Renfro	Woodall.
		of Angelina.	Young.
		Rogers of Hays.	

Absent—Excused.

King of Hopkins.

The Speaker then laid House bill No. 66 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Davis.
Acker.	DeBerry.
Alexander.	Duvall.
Anderson.	Enderby.
Avis.	Eickenroht.
Barnett.	Farrar.
Barron.	Faulk.
Bass.	Fly.
Bird.	Forbes.
Black.	Foster.
Boggs.	Gibson.
Bonham.	Gilbert.
Boon.	Gray.
Branch.	Hall.
Brown.	Harding.
Conway.	Harman.
Cornwell.	Hefley.
Cummings.	High.
Daniel.	Holder.

Absent.

Albritton.	Masterson.
Bateman.	Merritt.
Beck.	Nicholson.
Brice.	Parish of Runnels.
Cox.	Parrish of Travis.
Denman.	Pearce.
Dielmann.	Pope.
Dunlap.	Rawlins.
Finlay.	Reagan.
Fuchs.	Renfro of Mills.
Gates.	Shaver.
Graves.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Hogg.	Smith of Nueces.
Jacks.	Storey.
Johnson	Sutton.
of Anderson.	Walker.
Jones.	Wallace of Panola.
Kemble.	Wassell.
Kenyon.	Williams
Kinnear.	of Sabine.
Kirby.	Woodruff.
Loftin.	

Absent—Excused.

King of Hopkins.

HOUSE BILL NO. 8 ON PASSAGE TO
ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 8, A bill to be entitled "An Act making an appropriation for the control and eradication of the pink boll worm of cotton for the two-year period beginning September 1, 1927, and ending August 31, 1929."

The bill having heretofore been read second time.

Mr. Rogers of Hays offered the following amendment to the bill:

Amend House bill No. 8 by adding after Section 1 another section, reading as follows:

"Section 2. The fact that the pink boll worm of cotton now exists in large numbers in the Rio Grande Valley, in Presidio and Brewster counties, and is also known to exist in El Paso, Hudspeth, Ward, Reeves and Pecos counties, and is liable to be carried into other sections in contaminated cotton products, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days be suspended, and the same is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

House bill No. 8 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL
NO. 8.

Mr. Rogers of Hays moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 8 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—76.

Acker.	Farrar.
Alexander.	Fly.
Anderson.	Forbes.
Barnett.	Foster.
Barron.	Gibson.
Bird.	Gilbert.
Bonham.	Harding.
Brown.	Harman.
Conway.	Hefley.
Cornwell.	Holder.
Daniel.	Holland.
Davis.	Johnson
DeBerry.	of Dimmit.
Enderby.	Kayton.

Keeton.	Rowell.
Kirby.	Runge.
Kirkland.	Sanders.
Land.	Satterwhite.
Lewis.	Shearer.
Lipscomb.	Sheats.
Long.	Simmons.
Loy.	Sinks.
McCombs.	Smith of Smith.
McGill.	Smyth.
McKean.	Stell.
Minor.	Stevenson.
Montgomery.	Stout.
Morse.	Swain.
Moursund.	Taylor.
Murphy.	Turner.
Nabors.	Van Zandt.
Olsen.	Wallace
Pavlica.	of Freestone.
Petsch.	Wallace of Smith.
Pope.	Ware.
Porter.	Wassell.
Powell.	Webb.
Renfro	Wells.
of Angelina.	Williams
Rogers of Hays.	of Travis.
Rogers of Shelby.	Woodall.

Nays—23.

Avis.	King of
Bass.	Throckmorton.
Black.	Poage.
Boggs.	Purl.
Cummings.	Shirley.
Faulk.	Snelgrove.
Graves.	Storey.
Gray.	Teer.
Hall.	Veatch.
High.	Waddell.
Justice.	Whitaker.
Kennedy.	Young.

Present—Not Voting.

Kincaid.

Absent.

Albritton.	Johnson
Bateman.	of Anderson.
Beck.	Jones.
Boon.	Kemble.
Branch.	Kenyon.
Brice.	Kinnear.
Cox.	Loftin.
Denman.	Masterson.
Dielmann.	Merritt.
Dunlap.	N cholson.
Duvall.	Parish of Runnels.
Eickenroht.	Parrish of Travis.
Finlay.	Pearce.
Fuchs.	Pool.
Gates.	Rawlins.
Hagaman.	Reagan.
Hogg.	Renfro of Mills.
Hornaday.	Shaver.
Jacks.	Smith of Atascosa.

Smith of El Paso. Wallace of Panola.
 Smith of Nueces. Williams
 Sutton. of Sabine.
 Tillotson. Williamson.
 Walker. Woodruff.

Absent—Excused.

King of Hopkins.

HOUSE BILL NO. 88 ON SECOND READING.

Mr. Petsch moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 88 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Acker.	King of
Alexander.	Throckmorton.
Barnett.	Kirkland.
Barron.	Land.
Bass.	Lewis.
Bird.	Lipscomb.
Black.	Long.
Boggs.	Loy.
Bonham.	McCombs.
Boon.	McGill.
Branch.	McKean.
Brown.	Merritt.
Conway.	Minor.
Cornwell.	Morse.
Daniel.	Moursund.
Davis.	Murphy.
DeBerry.	Nabors.
Denman.	Pavlica.
Duvall.	Petsch.
Enderby.	Poage.
Farrar.	Pool.
Faulk.	Pope.
Fly.	Porter.
Forbes.	Powell.
Foster.	Renfro
Gibson.	of Angelina.
Gilbert.	Rogers of Hays.
Graves.	Rogers of Shelby
Gray.	Rowell.
Hall.	Runge.
Harding.	Sanders.
Harman.	Satterwhite.
Hefley.	Shearer.
High.	Sheats.
Holder.	Shirley.
Holland.	Simmons.
Johnson	Sinks.
of Dimmit.	Smith of Smith.
Justice.	Smyth.
Kayton.	Stell.
Keeton.	Stout.
Kennedy.	Swain.
Kincaid.	Taylor.

Teer. Wassell.
 Tillotson. Webb.
 Turner. Wells.
 Van Zandt. Williams
 Waddell. of Travis.
 Wallace. Williamson.
 of Freestone. Woodall.
 Wallace of Smith. Young.
 Ware.

Nays—2.

Olsen. Snelgrove.

Present—Not Voting.

Cummings. Storey.
 Purl. Whitaker.

Absent.

Albritton.	Kirby.
Anderson.	Loftin.
Avis.	Masterson.
Bateman.	Montgomery.
Beck.	Nicholson.
Brice.	Parish of Runnels.
Cox.	Parrish of Travis.
Dielmann.	Pearce.
Dunlap.	Rawlins.
Eickenroht.	Reagan.
Finlay.	Renfro of Mills.
Fuchs.	Shaver.
Gates.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Hogg.	Smith of Nueces.
Hornaday.	Stevenson.
Jacks.	Sutton.
Johnson	Veatch.
of Anderson.	Walker.
Jones.	Wallace of Panola.
Kemble.	Williams
Kenyon.	of Sabine.
Kinnear.	Woodruff.

Absent—Excused.

King of Hopkins.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 88, A bill to be entitled "An Act authorizing counties to pay taxes on school lands owned by certain counties."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 88 ON THIRD READING.

The Speaker then laid House bill No. 88 before the House of its third reading and final passage.

The bill was read third time and was passed.

(Mr. Wallace of Freestone in the chair.)

MESSAGE FROM THE GOVERNOR.

Mr. Carl L. Phinney, assistant secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Department,
Austin, Texas, May 30, 1927.

To the Honorable Fortieth Legislature
of the State of Texas.

Gentlemen: At the request of certain members, I submit for your consideration the questions of the passage of the attached bills.

Respectfully submitted,
DAN MOODY,
Governor of Texas.

A bill to be entitled "An Act to provide for increasing or diminishing the area of an independent school district upon petition of qualified resident property taxpaying voters; providing for the formation of new districts by the county board out of territory detached from independent districts; providing for increasing or diminishing the areas of common school districts or abolishing common school districts by the county board upon petition of a majority of the qualified voters in the territory affected; removing the maximum limit on the area of an independent school district and validating all school districts heretofore created; providing for a method of securing a county board of school trustees in any county that fails to comply with the law in selecting such county board; providing for the adjustment of district properties and bonded indebtedness against such a just and equitable basis, and repealing all laws, general or special, in conflict herewith, and declaring an emergency."

A bill to be entitled "An Act to amend Article 2547, Chapter 2, Title 47, Revised Civil Statutes of 1925, and amendments thereto, which article provides for the execution of bonds for securing county deposits; providing for the manner in which such deposits may be secured and the amount of such bonds; repealing all laws and parts of laws in conflict herewith, particularly Chapter 129 of the General Laws of the Regular Session of the Fortieth Legislature, and declaring an emergency."

A bill to be entitled "An Act to amend Chapter 193 of the General Laws of the Regular Session of the Fortieth Legislature, to permit the using of seines for the purpose of catching minnows for

bait in the public fresh waters of Marion, Harrison, Smith and Rusk counties, State of Texas, and declaring an emergency."

A bill to be entitled "An Act to authorize a fifty-year lease to be issued to the town of Aransas Pass in Aransas and San Patricio counties, Ransom Island and its sand flats extension to the northeast and its sand flats extension to the southwest in Red Fish Bay, situated in Nueces county, and that shallow portion of said bay between said island and its extensions and the main land; authorizing the said town to improve or have said area improved for public park purposes and to police said areas, reserving to the State all minerals, and the right to sell any and all shell; providing for forfeiture for failure to maintain and keep said area open to the public, and declaring an emergency."

A bill to be entitled "An Act amending Article 1595 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the number of votes required to remove county seats in certain instances, and declaring an emergency."

A bill to be entitled "An Act to repeal Chapter 112 of the Acts of the Regular Session of the Thirty-ninth Legislature, and restoring the old Cyclone Common School District No. 9 to its original status, and declaring an emergency."

A bill to be entitled "An Act to provide means and methods for the collection of delinquent and insolvent ad valorem taxes, penalties and interest thereon, and for the correction, completion and perfection of the tax assessment rolls and records of the State and counties, and more fully to prescribe the duties of the Comptroller of Public Accounts and other State officers, tax collectors, tax assessors, district and county attorneys in reference thereto, and providing for compensation for those engaged by said Comptroller by contract for the more efficient accomplishment of said purposes, providing for counties, school districts or other districts to join in the contracts herein provided for, repealing all laws in conflict with the provisions of this act, and declaring an emergency."

A bill to be entitled "An Act to create Lamar-Delta County Levee Improvement District No. 2, in the counties of Lamar and Delta, State of Texas; validating and approving all orders made by the commissioners court of said counties and of the board of supervisors of said district in respect to

the organization, and establishment thereof; validating, approving and ratifying all proceedings had by the commissioners courts relative to the appointment of the commissioners of appraisement of said district; validating, ratifying and approving all proceedings had by the commissioners of appraisement of said district in respect of assessments of benefits and damages to lands to be affected by the carrying out of the plan of reclamation approved by the State Reclamation Engineer; validating the authorization, issuance and sale of certain improvement bonds of said district, and providing for their payment by the annual levy, assessment and collection of taxes on all taxable property in said levee district; approving and validating all orders, resolutions or decrees of the commissioners courts of said counties, the board of supervisors of said levee district, and the commissioners of appraisement of said levee district, in respect of the said district, its bonds and taxes, or certified copies thereof, and constituting such orders, resolutions and decrees legal evidence; evidencing proof of publication of constitutional notice, and declaring an emergency."

A bill to be entitled "An Act fixing compensation for county tax assessors in counties containing a city with a population of over 125,000 according to the last United States census, where the county assessor of taxes compiles and makes a transfer book or card index compiled from the real estate transfers recorded in the county clerk's office showing the names transferred to, last owner assessed to, volume and page, description of property, assessed valuation and the consideration in the transfer; keeps a building permit record or card index of all building permits issued showing name of owner, date of permit, description of property on which building is located, description of the improvements, the permit valuation and the final valuation of the building inspector; keeps a record of the builders' liens recorded in the county clerk's office; and also keeps a card index file of all automobiles, busses and trucks, licensed and owned on January 1st of each year, showing owner of auto, owner's address, State highway license number, make and year model of auto, all of said information for the facilitating of the work in said assessor's office and for the more correctly assessing such classes of prop-

erty and for the purpose of keeping a close check on same, the commissioners court shall allow said assessor who copies and uses such records extra compensation not exceeding three thousand dollars annually, beginning with the fiscal year 1927, to be paid in twelve monthly payments, same to be retained by said assessor as ex-officio salary exclusive of the maximum salary allowed by law, and declaring an emergency."

A bill to be entitled "An Act validating the consolidation proceedings consolidating Rotan Independent School District and Cross Roads Common School District No. 29 of Fisher county and Hackberry Common School District No. 30 of Fisher county and a portion of Avelon Common School District No. 3 of Fisher county, including petitions, orders, notices, elections, orders declaring result of elections and describing the boundaries of such consolidated district; expressly retaining in force Chapter 77, Local and Special Laws enacted by the Thirty-ninth Legislature at its Regular Session, in 1925, except to recognize that the boundaries have been extended by consolidation proceedings; validating election and election proceedings held on or about August 26, 1926, in such consolidated district, authorizing the issuance of \$15,000 schoolhouse bonds and levying a tax in payment thereof, including the petition, orders, notices, election, and election returns, and authorizing the board of trustees to complete the issuance and sale of such bonds, and declaring an emergency."

A bill to be entitled "An Act amending Section 5 of Chapter 136, of the Acts of the Thirty-ninth Legislature, passed and approved March 28, 1925, so as to permit the owner of land to build a dam or reservoir on his land to impound or contain not to exceed two hundred and fifty acre feet of water without the necessity of securing a permit therefor."

A bill to be entitled "An Act to authorize the State Comptroller to join in behalf of the State in contracts for the collection of delinquent taxes under the provisions of Article 7335, Revised Statutes, 1925, and providing that the form of such contract shall be prepared by the Attorney General and that same shall not be valid without such rejoinder; repealing all laws and parts of laws in conflict, and declaring an emergency."

A bill to be entitled "An Act to amend Article 417, Title 7, Chapter 3, of the Code of Criminal Procedure of the State of Texas, so that one indictment may cover all offenses growing out of the same transaction."

A bill to be entitled "An Act amending Article 4011, Revised Civil Statutes, 1925, so as to permit a railroad to issue a free pass, or free transportation, to any minister of religion without being required to issue like free pass or free transportation to every other minister of religion in the State making application therefor, and declaring an emergency."

A bill to be entitled "An Act to amend Article 3716 of the Revised Civil Statutes of the State of Texas of 1925, by adding thereto a provision as follows: 'Provided, however, that in actions begun during the lifetime of the decedent in which executors, administrators, guardians or the heirs or legal representatives of the decedent, have been substituted as parties plaintiff or defendant and in which such actions either the original plaintiff or defendant has testified in open court or by deposition and has been subjected to cross examination by the other party, the testimony so given in open court or by deposition by either party may be admitted in evidence upon any trial of the same issues between the surviving party and the executors, administrators, guardians, heirs or legal representatives of the deceased party; and provided further that any such party participating in or present at any such transaction or in whose presence any statement by or to the deceased or ward was made, shall not be disqualified as a witness by this article, if any party adverse to him was present at or participated in the transaction and is living and competent to testify and available as a witness at the time of the trial or whose testimony has been lawfully preserved,' and declaring an emergency."

A bill to be entitled "An Act amending Section 8 of Chapter 177 of the General Laws of the Regular Session of the Thirty-ninth Legislature, as amended by Senate bill No. 56, same being Chapter 35 of the General Laws of the Regular Session of the Fortieth Legislature, which said Section 8, as amended by said Senate bill No. 56, being Chapter 35 of the General Laws of the Regular Session of the Fortieth Legislature, makes it unlawful for any person to kill, take or have in his possession for

barter or sale within a period of ten years of the passage of said act, any wild beaver, wild otter, or wild fox or the pelts thereof; etc., and declaring an emergency."

A bill to be entitled "An Act relating to the duties of the county board of education of the counties with an area of more than eleven hundred square miles and a population of less than forty thousand and not more than 100,000 according to the 1920 Federal census; authorizing the appointment of a county superintendent of public instruction and his assistants; providing supervision; authorizing the nomination of teachers by the county superintendent subject to the confirmation by local trustees; authorizing the purchase of supplies by the district trustees, subject to the confirmation of the county superintendent; providing for an equalization fund; repealing all laws or parts of laws, general or special, in conflict herewith, and declaring an emergency."

A bill to be entitled "An Act to amend Articles 8229, 8236 and 8238 in Chapter 9, Title 128, 1925 Revised Statutes of the State of Texas, so as to authorize navigation districts containing municipalities of one hundred thousand population or more to issue its obligations to the extent of not exceeding two hundred and fifty thousand dollars (\$250,000), and maturing within and not exceeding a period of ten (10) years from date thereof, for the purpose either of acquiring necessary or proper lands, rights-of-way or dumping grounds, extension or improvement of belt railway lines, or construction or improvements of wharves, docks or other facilities or aids to navigation, and to secure such obligations by liens upon the property so acquired, constructed or improved, and pledge available revenue as additional security; to permit the anticipation of current revenues by warrants maturing at the close of such year; and to authorize the issuance of bonds upon vote of the people for the purpose of acquiring lands and facilities owned by any municipality containing a population of one hundred thousand or more within such district, and declaring an emergency."

A bill to be entitled "An Act providing for the filing by the county, district or criminal district attorney of a brief in all cases appealed to the Court of Criminal Appeals, and providing that no fees shall be collected by the county, district or criminal district attorney

trying such cases unless said brief is filed, and providing for a deduction from the per diem of district attorneys whose compensation is fixed upon a per diem basis for each case tried by them and appealed to the Court of Criminal Appeals in which no memorandum brief is filed, and providing a method by which the filing, or non-filing, of such brief may be determined by the judge passing upon the accounts of said county, district and criminal district attorneys, and declaring an emergency."

A bill to be entitled "An Act to amend Article 432, Chapter 6, of the Revised Civil Statutes of Texas of 1925, relating to reserved deposits in savings departments of State banks, and declaring an emergency."

A bill to be entitled "An Act amending Article 4629 of the Revised Civil Statutes of 1925, relating to divorces, so as to make subdivision 4 thereof read as follows, 'where a husband and wife have lived apart without cohabitation for as long as five years,' and declaring an emergency."

A bill to be entitled "An Act to amend Article 2095, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas of 1925, so such article shall provide for the compiling of jury cards for the jury wheel in counties of over one hundred fifty thousand population, placing such compiling under the supervision of the district clerk, and providing funds for employment of typists for compiling, and other expenses necessary."

A bill to be entitled "An Act to amend Articles 961 and 966, of Chapter 1, Title 28, Revised Civil Statutes of 1925, providing for the incorporation of cities and towns with a population of five hundred or more inhabitants, and for the acceptance by certain cities and towns of the provisions of Title 28, relating to cities and towns; enacting provisions incidental and necessary to the subject and purpose of this act, and declaring an emergency."

A bill to be entitled "An Act to amend Article 1146 of Chapter 11, Title 28, Revised Statutes of 1925, relating to the powers of the boards of aldermen of incorporated towns and villages; adding to said chapter and title a new article to be designated as Article 1146a, so as to authorize all incorporated towns and villages to vote and issue bonds in the manner and under the restrictions and limitations provided by law for the issuance of bonds by cities and towns, and declaring an emergency."

A bill to be entitled "An Act amending Article 725, Revised Civil Statutes of 1925, authorizing the issuance of refunding bonds bearing the same or a lower rate of interest in lieu of any valid outstanding bonds which have been issued under authority of Title 22 or Title 71, Revised Civil Statutes of 1925, or provisions of law which have been amended or superseded thereby, and adding Article 725a, validating all refunding bonds that have heretofore been issued and approved by the Attorney General for the purpose of refunding valid outstanding bonds of any of the counties of Texas, and declaring an emergency."

A bill to be entitled "An Act relating to insurance certificates or policies issued by fraternal benefit societies; providing that certain statements in connection therewith in the absence of fraud shall be deemed representations and not warranties; making such certificates or policies incontestable after two years from their date, except for certain reasons; prescribing the rule of law which shall prevail as to the liability of any such fraternal benefit society where it fails to pay a loss within sixty days after proof of death, and prescribing the penalty that shall result for such failure; prescribing the rule as to the amount payable where the insured misstates his or her age, and declaring an emergency."

A bill to be entitled "An Act relating to the duties of the county board of education of counties with an area of more than eleven hundred square miles and a population of not less than 40,000 and not more than 100,000, according to the 1920 Federal census; authorizing the appointment of the county superintendent of public instruction, and his assistants; providing supervision; authorizing the nomination of teachers by the county superintendent subject to confirmation of local trustees; authorizing the purchase of supplies by the district trustees, subject to the confirmation of the county superintendent; repealing all laws or parts of laws, general or special, in conflict herewith, and declaring an emergency."

A bill to be entitled "An Act changing the wording of Article 2007 of the Revised Civil Statutes of 1925, as passed by the Regular Session of the Thirty-ninth Legislature of the State of Texas, so that said Article 2007 shall read as follows: A plea of privilege to be sued in the county of one's residence shall be sufficient, if it be in writing and sworn to, and shall state

that the party claiming such privilege was not, at the institution of such suit, nor at the time of the service of process thereon, nor at the time of filing such plea, a resident of the county in which such suit was instituted, and shall state the county of his residence at the time of such plea, and that 'no exception' to exclusive venue in the county of one's residence provided by law exists in said cause; and upon the filing of such plea the clerk or the court shall immediately issue notice to the plaintiff or his attorney of record, which notice shall be served by any sheriff or constable of the county upon the plaintiff or the attorney of record of the plaintiff; and if such notice has been served, such plea of privilege shall be prima facie proof of the defendant's right to change of venue; provided, however, if the plaintiff desires to controvert the plea of privilege, he shall within five days after appearance day file a controverting plea under oath, setting out specifically the fact or facts relied upon to confer venue of such cause on the court where the cause is pending, and declaring an emergency."

A bill to be entitled "An Act to amend Articles 2922b, 2922h and 2922i of Chapter 19a, Revised Civil Statutes, 1925, so as to authorize the issuance and sale of bonds by trustees of rural high school districts and to authorize the assumption by rural high school districts of the bonded or other valid indebtedness of included common or independent school districts; authorizing the trustees of rural high school districts, when authorized by majority vote of the property taxpayers of such districts, to levy and collect an annual ad valorem tax not to exceed \$1 on the \$100 valuation of taxable property of the district for the maintenance of schools therein and a tax not to exceed 50 cents on the \$100 valuation of taxable property of the district for the purpose of the payment of accounts legally contracted in purchasing, constructing, repairing or equipping public free school buildings within the limits of such district and the purchase of necessary sites therefor; provided that the amount of maintenance tax, together with the amount of bond tax of the district shall never exceed \$1 on the \$100 valuation of taxable property, and declaring an emergency."

(Mr. Satterwhite in the chair.)

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Long:

H. B. No. 92, A bill to be entitled "An Act to amend Article 7150, Revised Civil Statutes of Texas, 1925, providing for the exemption of certain property from taxation, by adding thereto another section, No. 1a."

Referred to Committee on Revenue and Taxation.

By Mr. Shirley:

H. B. No. 93, A bill to be entitled "An Act to provide a special road drag law for Collin county."

Referred to Committee on Highway and Motor Traffic.

By Mr. Poage, Mr. Jones and Mr. Harman:

H. B. No. 94, A bill to be entitled "An Act amending Section 3 and Section 9, Chapter 78, of the Acts of the Regular Session of the Fortieth Legislature, so as to confer juvenile jurisdiction upon the county court of McLennan county and deprive the county court at law to change the inscription on the seal of said county court at law of McLennan county, and declaring a emergency."

Referred to Judiciary Committee.

By Mr. Murphy:

H. B. No. 95, A bill to be entitled "An Act to amend Article 880, Revised Criminal Statutes of 1925, so as to make it unlawful to hunt deer with dogs in Polk county, by omitting name of the word 'Polk' from the list of counties given in said article."

Referred to Committee on Game and Fisheries.

By Mr. Rawlins:

H. B. No. 96, A bill to be entitled "An Act to amend Article 2210 of the Revised Civil Statutes of 1925."

Referred to Judiciary Committee.

By Mr. Rawlins:

H. B. No. 97, A bill to be entitled "An Act to expedite disposition of business in the district courts of this State; providing that such courts shall be continuously in session; that jury may be summoned when court is held at a time when no regular jury has

been drawn and the necessity for a jury appears; that signing of the minutes shall not be construed as an adjournment of a term of court; that terms of court shall not be adjourned because of the failure of the judge to appear at the appointed time; that citations and other process now returnable to succeeding term of court shall be returnable within twenty days after the day of service, the day of service and of filing answer being excepted, and that citations issued from a district court shall be addressed to the sheriff or any constable in the State and may be served on the defendant where found, provided if served out of the county that a certified copy of the pleading shall be attached; providing for default judgment if answer not filed; fixing a basis for computing time in perfecting and prosecuting appeal where now fixed from adjournment of court; fixing basis for computing time in perfecting record and filing time for impaneling grand jury where courts are to be in continuous session, providing for grand jury once impaneled to continue as grand jury of that county until another has been impaneled, providing for reassembling of grand jury, repealing conflicting laws, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Rawlins:

H. B. No. 98, A bill to be entitled "An Act prescribing what shall constitute the transcript in cases appealed to the Courts of Civil Appeals and repealing Articles 2278 to 2281, inclusive, of the Revised Civil Statutes of 1925, and all other conflicting laws."

Referred to Judiciary Committee.

By Mr. Brown and Mr. Smyth:

H. B. No. 99, A bill to be entitled "An Act to provide for increasing or diminishing the area of an independent school district upon petition of qualified resident property tax paying voters; providing for the formation of new districts by the county board out of territory detached from independent districts; providing for increasing or diminishing the area of common school districts or abolishing common school districts by the county board upon petition of a majority of the qualified voters in the territory affected; removing the maximum limit on the area of an independent school district and validating all school districts heretofore created; providing for a method of securing a

county board of school trustees in any county that fails to comply with the law in selecting such county board; providing for the adjustment of district properties and bonded indebtedness against such a just and equitable basis and repealing all laws, general or special, in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Montgomery:

H. B. No. 100, A bill to be entitled "An Act to amend Article 2547, Chapter 2, Title 47, Revised Civil Statutes of 1925 and amendments thereto, which article provides for the execution of bonds for securing county deposits; providing for the manner in which such deposits may be secured and the amount of such bonds; repealing all laws and parts of laws in conflict herewith, particularly Chapter 129 of the General Laws of the Regular Session of the Fortieth Legislature, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Woodall and Mr. Rowell:

H. B. No. 101, A bill to be entitled "An Act to amend Chapter 193 of the General Laws of the Regular Session of the Fortieth Legislature, to permit the using of seines for the purpose of catching minnows for bait in the public fresh waters of Marion, Harrison, Smith and Rusk counties, State of Texas, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Bonham:

H. B. No. 102, A bill to be entitled "An Act to authorize a fifty year lease to be issued to the town of Aransas Pass in Aransas and San Patricio counties, Ransom Island and its sand flats extension to the northeast and its sand flats extension to the southwest in Red Fish Bay, situated in Nueces county, and that shallow portion of said bay between said island and its extension and the mainland; authorizing the said town to improve or have said area improved for public park purposes and to police said area, reserving to the State all minerals, and the right to sell any and all shell; providing for forfeiture for failure to maintain in and keep said area open to the public, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Gray:

H. B. No. 103, A bill to be entitled "An Act amending Article 1595 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the number of votes required to remove county seats in certain instances, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Harman:

H. B. No. 104, A bill to be entitled "An Act to repeal Chapter 112 of the Acts of the Regular Session of the Thirty-ninth Legislature, and restoring the old Cyclone Common School District No. 9 to its original status, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Harman:

H. B. No. 105, A bill to be entitled "An Act to provide means and methods for the collection of delinquent and insolvent ad valorem taxes, penalties and interest thereon, and for the correction, completion and perfection of the tax assessment rolls and records of the State and counties, and more fully to prescribe the duties of the Comptroller of Public Accounts and other State officers, tax collectors, tax assessors, district and county attorneys in reference thereto, and providing for compensation for those engaged by said Comptroller by contract for the more efficient accomplishment of said purposes; providing for counties, school districts or other districts to join in the contracts herein provided for; repealing all laws in conflict with the provisions of this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Swain and Mr. Stell:

H. B. No. 106, A bill to be entitled "An Act to create Lamar-Delta County Levee Improvement District No. 2, in the counties of Lamar and Delta, State of Texas; validating and approving all orders made by the commissioners court of said counties and of the board of supervisors of said district in respect to the organization and establishment thereof; validating, approving and ratifying all proceedings had by the commissioners courts relative to the appointment of the commissioners of appraisalment of said district; validating, ratifying and approving all proceedings

had by the commissioners of appraisalment of said district in respect of assessments of benefits and damages to lands to be affected by the carrying out of the plan of reclamation approved by the State Reclamation Engineer; validating the authorization, issuance and sale of certain improvement bonds of said district, and providing for their payment by the annual levy, assessment and collection of taxes on all taxable property in said levee district; approving and validating all orders, resolutions or decrees of the commissioners courts of said counties, the board of supervisors of said levee district, and the commissioners of appraisalment of said levee district, in respect of the said district, its bonds and taxes, or certified copies thereof, and constituting such orders, resolutions and decrees legal evidence; evidencing proof of publication of constitutional notice, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Anderson, Mr. Dielmann, Mr. Kayton, Mr. Williamson and Mr. Moursund:

H. B. No. 107, A bill to be entitled "An Act fixing the compensation for county tax assessors in counties containing a city with a population of over 125,000 according to the last United States census, where the county assessor of taxes compiles and makes a transfer book or card index compiled from the real estate transfers recorded in the county clerk's office showing the names transferred to, last owner assessed to, volume and page, description of property, assessed valuation and the consideration in the transfer; keeps a building permit record or card index of all building permits issued showing name of owner, date of permit, description of property on which building is located, description of the improvements, the permit valuation and the final valuation of the building inspector; keeps a record of the builders' liens recorded in the county clerk's office; and also keeps a card index file of all automobiles, busses and trucks, licensed and owned on January 1st of each year, showing owner of auto, owner's address, State highway license number, make and year model of auto, all of said information for the facilitating of the work in said assessor's office and for the more correctly assessing such classes of property and for the purpose of keeping a close check on same, the commissioners court

shall allow said assessor who compiles and uses such records extra compensation, not exceeding three thousand dollars annually, beginning with the fiscal year 1927, to be paid in twelve monthly payments, same to be retained by said assessor as ex-officio salary, exclusive of the maximum salary allowed by law, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hall:

H. B. No. 108, A bill to be entitled "An Act validating the consolidation proceedings consolidating Rotan Independent School District and Cross Roads Common School District No. 29 of Fisher county and Hackberry Common School District No. 30 of Fisher county and a portion of Avelon Common School District No. 3 of Fisher county, including petitions, orders, notices, elections, orders declaring result of elections, and describing the boundaries of such consolidated district; expressly retaining in force Chapter 77, Local and Special Laws enacted by the Thirty-ninth Legislature at its Regular Session, in 1925, except to recognize that the boundaries have been extended by consolidation proceedings; validating election and election proceedings held on or about August 26, 1926, in such consolidated district, authorizing the issuance of \$15,000 schoolhouse bonds and levying a tax in payment thereof, including the petition, orders, notices, election, and election returns, and authorizing the board of trustees to complete the issuance and sale of such bonds, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Hall:

H. B. No. 109, A bill to be entitled "An Act amending Section 5 of Chapter 136 of the Acts of the Thirty-ninth Legislature, passed and approved March 28, 1925, so as to permit the owner of land to build a dam or reservoir on his land to impound or contain not to exceed two hundred and fifty acre feet of water without the necessity of securing a permit therefor."

Referred to Committee on State Affairs.

By Mr. Williams of Travis:

H. B. No. 110, A bill to be entitled "An Act to authorize the State Comptroller to join in behalf of the State in contracts for the collection of delinquent taxes under the provisions of

Article 7335, Revised Statutes, 1925, and providing that the form of such contract shall be prepared by the Attorney General and that same shall not be valid without such joinder; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Sinks:

H. B. No. 111, A bill to be entitled "An Act to amend Article 417, Title 7, Chapter 3, of the Code of Criminal Procedure of the State of Texas, so that one indictment may cover all offenses growing out of the same transaction."

Referred to Committee on Criminal Jurisprudence.

By Mr. McCombs:

H. B. No. 112, A bill to be entitled "An Act amending Article 4011, Revised Civil Statutes, 1925, so as to permit a railroad to issue a free pass, or free transportation, to any minister of religion without being required to issue like free pass or free transportation to every other minister of religion in the State making application therefor, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. McCombs:

H. B. No. 113, A bill to be entitled "An Act to amend Article 3716 of the Revised Civil Statutes of the State of Texas of 1925 by adding thereto a provision as follows: 'Provided, however, that in actions begun during the lifetime of the decedent in which executors, administrators, guardians or the heirs or legal representatives of the decedent have been substituted as parties plaintiff or defendant and in which such actions either the original plaintiff or defendant has testified in open court or by deposition and has been subjected to cross examination by the other party, the testimony so given in open court or by deposition by either party may be admitted in evidence upon any trial of the same issues between the surviving party and the executors, administrators, guardians, heirs or legal representatives of the deceased party; and provided further, that any such party participating in or present at any such transaction or in whose presence any statement by or to the deceased or ward was made, shall not be disqualified as a witness by this ar-

ticle, if any party adverse to him was present at or participated in the transaction and is living and competent to testify and available as a witness at the time of the trial or whose testimony has been lawfully preserved, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Teer and Mr. Branch:

H. B. No. 114. A bill to be entitled "An Act amending Section 8 of Chapter 177 of the General Laws of the Regular Session of the Thirty-ninth Legislature, as amended by Senate bill No. 56, same being Chapter 35 of the General Laws of the Regular Session of the Fortieth Legislature, which said Section 8, as amended by said Senate bill No. 56, being Chapter 35 of the General Laws of the Regular Session of the Fortieth Legislature, makes it unlawful for any person to kill, take or have in his possession for barter or sale within a period of ten years of the passage of said act, any wild beaver, wild otter, or wild fox or the pelts thereof, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Teer and Mr. Branch:

H. B. No. 115. A bill to be entitled "An Act relating to the duties of the county board of education of the counties with an area of more than eleven hundred square miles and a population of less than forty thousand and not more than 100,000 according to the 1920 Federal census; authorizing the appointment of a county superintendent of public instruction, and his assistants; providing supervision; authorizing the nomination of teachers by the county superintendent subject to the confirmation by local trustees, authorizing the purchase of supplies by the district trustees, subject to the confirmation of the county superintendent; providing for an equalization fund; repealing all laws or parts of laws, general or special, in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Murphy:

H. B. No. 116. A bill to be entitled "An Act amending Title 15, Chapter 4, Section 2, Article 1068 of the Code of Criminal Procedure of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature of the State of Texas, so as to provide that county attorneys shall receive same fee

in gaming cases in justice courts as he now receives in county court for gaming cases, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

SENATE BILL NO. 23 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 23, A bill to be entitled "An Act relating to the jurisdiction of the county court of Menard county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 23 ON THIRD READING.

Mr. Runge moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Acker.	Graves.
Alexander.	Gray.
Anderson.	Hall.
Avis.	Harding.
Barnett.	Harman.
Barron.	Hefley.
Bass.	High.
Bird.	Holder.
Black.	Holland.
Boggs.	Johnson
Bonham.	of Dimmit.
Boon.	Justice.
Branch.	Kayton.
Brown.	Keeton.
Conway.	Kincaid.
Cornwell.	King of
Cummings.	Throckmorton.
Daniel.	Kirkland.
Davis.	Land.
DeBerry.	Lewis.
Denman.	Lipscomb.
Enderby.	Long.
Farrar.	McCombs.
Faulk.	McGill.
Fly.	McKean.
Forbes.	Merritt.
Foster.	Minor.
Gibson.	Montgomery.
Gilbert.	Morse.

Murphy.	Snelgrove.	Anderson.	Nabors.
Nabors.	Stell.	Avis.	Olsen.
Olsen.	Stevenson.	Barnett.	Pavlica.
Pavlica.	Stout.	Barron.	Petsch.
Petsch.	Swain.	Bass.	Poage.
Poage.	Taylor.	Black.	Pope.
Pool.	Teer.	Boggs.	Porter.
Pope.	Tillotson.	Bonham.	Powell.
Porter.	Turner.	Boon.	Purl.
Powell.	Van Zandt.	Branch.	Rawlins.
Purl.	Veatch.	Brown.	Reagan.
Rogers of Hays.	Waddell.	Conway.	Renfro
Rogers of Shelby.	Wallace	Cornwell.	of Angelina.
Rowell.	of Freestone.	Cummings.	Rogers of Hays.
Runge.	Wallace of Smith.	Daniel.	Rogers of Shelby.
Sanders.	Ware.	Davis.	Rowell.
Satterwhite.	Wassell.	DeBerry.	Runge.
Shearer.	Webb.	Denman.	Sanders.
Sheats.	Wells.	Enderby.	Satterwhite.
Shirley.	Whitaker.	Farrar.	Shearer.
Simmons.	Williams	Faulk.	Sheats.
Sinks.	of Travis.	Fly.	Shirley.
Smith of Smith.	Woodall.	Forbes.	Simmons.
Smyth.	Young.	Gibson.	Sinks.

Nays—2.

Kennedy.	Renfro
	of Angelina.

Absent.

Albritton.	Loftin.	Johnson	Taylor.
Bateman.	Loy.	of Dimmit.	Teer.
Beck.	Masterson.	Justice.	Tillotson.
Brice.	Moursund.	Turner.	Van Zandt.
Cox.	Nicholson.	Kayton.	Veatch.
Dielmann.	Parish of Runnels.	Keeton.	Waddell.
Dunlap.	Parrish of Travis.	Kennedy.	Wallace
Duvall.	Pearce.	Kincaid.	of Freestone.
Eickenroht.	Rawlins.	King of	Wallace of Smith.
Finlay.	Reagan.	Throckmorton.	Ware.
Fuchs.	Renfro of Mills.	Kirkland.	Wassell.
Gates.	Shaver.	Land.	Webb.
Hagaman.	Smith of Atascosa.	Lewis.	Wells.
Hogg.	Smith of El Paso.	Lipscomb.	Whitaker.
Hornaday.	Smith of Nueces.	Long.	Williams
Jacks.	Storey.	Loy.	of Sabine.
Johnson	Sutton.	McGill.	Williams
of Anderson.	Walker.	McKean.	of Travis.
Jones.	Wallace of Panola.	Merritt.	Williamson.
Kemble.	Williams	Minor.	Woodall.
Kenyon.	of Sabine.	Montgomery.	Young.
Kinnear.	Williamson.	Moursund.	
Kirby.	Woodruff.	Murphy.	

Absent—Excused.

King of Hopkins.

The Speaker then laid Senate bill No. 23 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Acker.	Alexander.
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Absent.

Albritton.	Foster.
Bateman.	Fuchs.
Beck.	Gates.
Bird.	Gray.
Brice.	Hagaman.
Cox.	Hogg.
Dielmann.	Holder.
Dunlap.	Hornaday.
Duvall.	Jacks.
Eickenroht.	Johnson
Finlay.	of Anderson.

Jones.	Pearce.
Kemble.	Pool.
Kenyon.	Renfro of Mills.
Kinnear.	Shaver.
Kirby.	Smith of Atascosa.
Loftin.	Smith of El Paso.
Masterson.	Smith of Nueces.
McCombs.	Stout.
Morse.	Sutton.
Nicholson.	Walker.
Parish of Runnels.	Wallace of Panola.
Parrish of Travis.	Woodruff.

Absent—Excused.

King of Hopkins.

SENATE BILL NO. 24, ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 24, A bill to be entitled "An Act relating to the jurisdiction of the county court of Sterling county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 24 ON THIRD
READING.

Mr. Boggs moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 24 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Acker.	Enderby.
Alexander.	Eickenroht.
Anderson.	Farrar.
Avis.	Fly.
Barnett.	Forbes.
Barron.	Foster.
Bass.	Gibson.
Bird.	Gilbert.
Black.	Graves.
Boggs.	Gray.
Boon.	Hall.
Branch.	Harding.
Brown.	Harman.
Conway.	Hefley.
Cummings.	High.
Daniel.	Holder.
Davis.	Holland.
DeBerry.	Johnson
Denman.	of Dimmit.

Justice.	Runge.
Kayton.	Sanders.
Keeton.	Satterwhite.
Kennedy.	Shearer.
Kincaid.	Sheats.
King of	Shirley.
Throckmorton.	Simmons.
Kirkland.	Sinks.
Land.	Smith of Smith.
Lewis.	Smyth.
Lipscomb.	Snelgrove.
Long.	Stell.
Loy.	Stevenson.
McCombs.	Storey.
McGill.	Stout.
McKean.	Swain.
Merritt.	Taylor.
Minor.	Teer.
Montgomery.	Turner.
Morse.	Van Zandt.
Moursund.	Veatch.
Nabors.	Waddell.
Olsen.	Wallace
Pavlica.	of Freestone.
Petsch.	Wallace of Smith.
Poage.	Ware.
Pope.	Wassell.
Porter.	Wells.
Powell.	Whitaker.
Purl.	Williams
Rawlins.	of Sabine.
Reagan.	Williams
Renfro	of Travis.
of Angelina.	Williamson.
Rogers of Hays.	Woodall.
Rogers of Shelby.	Young.
Rowell.	

Absent.

Albritton.	Kenyon.
Bateman.	Kinnear.
Beck.	Kirby.
Bonham.	Loftin.
Brice.	Masterson.
Cornwell.	Murphy.
Cox.	Nicholson.
Dielmann.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Duvall.	Pearce.
Faulk.	Pool.
Finlay.	Renfro of Mills.
Fuchs.	Shaver.
Gates.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Hogg.	Smith of Nueces.
Hornaday.	Sutton.
Jacks.	Tillotson.
Johnson	Walker.
of Anderson.	Wallace of Panola.
Jones.	Webb.
Kemble.	Woodruff.

Absent—Excused.

King of Hopkins.

The Speaker then laid Senate bill

No. 24 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Acker.	Minor.
Alexander.	Montgomery.
Anderson.	Morse.
Avis.	Moursund.
Barnett.	Nabors.
Bass.	Olsen.
Bird.	Paylica.
Black.	Petsch.
Boggs.	Poage.
Boon.	Pool.
Branch.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Reagan.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Rogers of Hays.
Denman.	Rogers of Shelby.
Enderby.	Runge.
Eickenroht.	Sanders.
Farrar.	Satterwhite.
Faulk.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Foster.	Simmons.
Gibson.	Sinks.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hall.	Stell.
Harding.	Stevenson.
Harman.	Storey.
Hefley.	Stout.
High.	Swain.
Holder.	Taylor.
Holland.	Teer.
Johnson	Turner.
of Dimmit.	Van Zandt.
Justice.	Veatch.
Kayton.	Wallace
Keeton.	of Freestone.
Kincaid.	Wallace of Smith.
King of	Ware.
Throckmorton.	Wassell.
Kirkland.	Webb.
Land.	Wells.
Lewis.	Whitaker.
Lipscomb.	Williams
Long.	of Sabine.
McCombs.	Williams
McGill.	of Travis.
McKean.	Woodall.
Merritt.	Young.

Nays—1.

Kennedy.

Absent.

Albritton.

Barron.

Bateman.	Loftin.
Beck.	Loy.
Bonham.	Masterson.
Brice.	Murphy.
Cox.	Nicholson.
Dielmann.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Duvall.	Pearce.
Finlay.	Rawlins.
Fuchs.	Renfro of Mills.
Gates.	Rowell.
Hagaman.	Shaver.
Hogg.	Smith of Atascosa.
Hornaday.	Smith of El Paso.
Jacks.	Smith of Nueces.
Johnson	Sutton.
of Anderson.	Tillotson.
Jones.	Waddell.
Kemble.	Walker.
Kenyon.	Wallace of Panola.
Kinnear.	Williamson.
Kirby.	Woodruff.

Absent—Excused.

King of Hopkins.

SENATE BILL NO. 25 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 25, A bill to be entitled "An Act relating to the jurisdiction of the county court of Irion county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court, conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 25 ON THIRD READING.

Mr. Boggs moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 25 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Acker.	Black.
Alexander.	Boggs.
Anderson.	Boon.
Avis.	Branch.
Barnett.	Brown.
Barron	Conway.
Bass.	Cornwell.
Bird.	Cummings.

Daniel.
Davis.
DeBerry.
Denman.
Enderby.
Eickenroht.
Farrar.
Faulk.
Fly.
Foster.
Gibson.
Gilbert.
Graves.
Gray.
Hall.
Harding.
Harman.
Hefley.
High.
Holder.
Holland.
Johnson
of Dimmit.
Justice.
Kayton.
Keeton.
Kennedy.
Kincaid.
Kirkland.
Land.
Lewis.
Lipscomb.
Long.
Loy.
McGill.
McKean.
Merritt.
Montgomery.
Morse.
Moursund.
Murphy.
Nabors.
Olsen.
Pavlica.
Petsch.
Poage.

Albritton.
Bateman.
Beck.
Bonham.
Brice.
Cox.
Dielmann.
Dunlap.
Duvall.
Finlay.
Forbes.
Fuchs.
Gates.
Hagaman.
Hogg.
Hornaday.
Jacks.
Johnson
of Anderson.

Pool.
Pope.
Porter.
Powell.
Purl.
Rawlins.
Reagan.
Renfro
of Angelina.
Rogers of Hays.
Rogers of Shelby.
Rowell.
Runge.
Sanders.
Satterwhite.
Shearer.
Sheats.
Shirley.
Simmons.
Sinks.
Smith of Smith.
Smyth.
Stell.
Stevenson.
Storey.
Stout.
Swain.
Taylor.
Teer.
Turner.
Van Zandt.
Veatch.
Waddell.
Wallace of Smith.
Ware.
Wassell.
Webb.
Wells.
Whitaker.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Young.

Absent.

Jones.
Kemble.
Kenyon.
King of
Throckmorton.
Kinnear.
Kirby.
Loftin.
Masterson.
McCombs.
Minor.
Nicholson.
Parish of Runnels.
Parrish of Travis.
Pearce.
Renfro of Mills.
Shaver.
Smith of Atascosa.
Smith of El Paso.

Smith of Nueces.
Snelgrove.
Sutton.
Tillotson.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Williamson.
Woodruff.

Absent—Excused.

King of Hopkins.

The Speaker then laid Senate bill No. 25 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Acker.	Long.
Alexander	McGill.
Anderson.	McKean.
Avis.	Montgomery.
Barnett.	Morse.
Barron.	Moursund.
Bass.	Murphy.
Bird.	Nabors.
Black.	Olsen.
Boggs.	Pavlica.
Bonham.	Petsch.
Boon.	Poage.
Branch.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Cummings.	Purl.
Daniel.	Reagan.
Davis.	Renfro
DeBerry.	of Angelina.
Denman.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Rowell.
Farrar.	Runge.
Faulk.	Sanders.
Fly.	Shearer.
Forbes.	Sheats.
Foster.	Shirley.
Gibson.	Simmons.
Gilbert.	Sinks.
Graves.	Smith of Smith.
Hall.	Snelgrove.
Harding.	Stell.
Harman.	Stevenson.
Hefley.	Storey.
High.	Stout.
Holder.	Swain.
Holland.	Taylor.
Johnson	Teer.
of Dimmit.	Turner.
Justice.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Kennedy.	Wallace
Kincaid.	of Freestone.
King of	Wallace of Smith.
Throckmorton.	Ware.
Kirkland.	Wassell.
Land.	Webb.
Lewis.	Wells.
Lipscomb.	Whitaker.

Williams
of Sabine.
Williams
of Travis.

Woodall.
Young.

Absent.

Albritton.	Loy.
Bateman.	Masterson.
Beck.	McCombs.
Brice.	Merritt.
Brown.	Minor.
Cox.	Nicholson.
Dielmann.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Duvall.	Pearce.
Finlay.	Pool.
Fuchs.	Rawlins.
Gates.	Renfro of Mills.
Gray.	Satterwhite.
Hagaman.	Shaver.
Hogg.	Smith of Atascosa.
Hornaday.	Smith of El Paso.
Jacks.	Smith of Nueces.
Johnson	Smyth.
of Anderson.	Sutton.
Jones.	Tillotson.
Kemble.	Walker.
Kenyon.	Wallace of Panola.
Kinnear.	Williamson.
Kirby.	Woodruff.
Loftin.	

Absent—Excused.

King of Hopkins.

SENATE BILL NO. 26 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 26, A bill to be entitled "An Act to change and prescribe the time for holding district court of the Fifty-first Judicial District of the State, and to conform all writs and process from such court to such changes and to make all writs and process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties in said district, as herein fixed, and to validate the summoning of grand juries and petit juries; and providing for the continuation of court in session in said district when this act takes effect, to the end of its term; and repealing all laws and parts of laws in conflict herewith."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 26 ON THIRD READING.

Mr. Boggs moved that the constitutional rule requiring bills to be read

on three several days be suspended and that Senate bill No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Alexander.	Merritt.
Anderson.	Minor.
Avis.	Montgomery.
Barnett.	Morse.
Barron.	Moursund.
Bass.	Murphy.
Bird.	Nabors.
Black.	Olsen.
Boggs.	Pavlica.
Bonham.	Petsch.
Boon.	Poage.
Branch.	Pool.
Brown.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Cummings.	Purl.
Daniel.	Reagan.
Davis.	Renfro
DeBerry.	of Angelina.
Denman.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Enderby.	Rowell.
Eickenroht.	Sanders.
Farrar.	Satterwhite.
Faulk.	Shearer.
Forbes.	Sheats.
Foster.	Shirley.
Gibson.	Simmons.
Gilbert.	Sinks.
Graves.	Smith of Smith.
Gray.	Smyth.
Hall.	Snelgrove.
Harding.	Stell.
Harman.	Stevens.
Hefley.	Storey.
High.	Stout.
Holder.	Swain.
Holland.	Taylor.
Johnson	Teer.
of Dimmit.	Turner.
Justice.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Kennedy.	Wallace
Kincaid.	of Freestone.
King of	Wallace of Smith.
Throckmorton.	Ware.
Kirkland.	Wassell.
Land.	Webb.
Lewis.	Wells.
Lipscomb.	Williams of Sabine.
Long.	Williams of Travis.
Loy.	Woodall.
McGill.	Young.
McKean.	

Absent.

Acker.	Beck.
Albritton.	Brice.
Bateman.	Cox.

Dielmann.	McCombs.
Dunlap.	Nicholson.
Finlay.	Parish of Runnels.
Fly.	Parrish of Travis.
Fuchs.	Pearce.
Gates.	Rawlins.
Hagaman.	Renfro of Mills.
Hogg.	Runge.
Hornaday.	Shaver.
Jacks.	Smith of Atascosa.
Johnson	Smith of El Paso.
of Anderson.	Smith of Nueces.
Jones.	Sutton.
Kemble.	Tillotson.
Kenyon.	Walker.
Kinnear.	Wallace of Panola.
Kirby.	Whitaker.
Loftin.	Williamson.
Masterson.	Woodruff.

Absent—Excused.

King of Hopkins.

The Speaker then laid Senate bill No. 26 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Acker.	High.
Alexander.	Holder.
Anderson.	Holland.
Avis.	Johnson
Barnett.	of Dimmit.
Barron.	Justice.
Bass.	Kayton.
Bird.	Keeton.
Black.	Kennedy.
Boggs.	Kincaid.
Bonham.	King of
Boon.	Throckmorton.
Branch.	Kirkland.
Brown.	Land.
Conway.	Lewis.
Cornwell.	Lipscomb.
Cummings.	Long.
Daniel.	McGill.
Davis.	McKean.
DeBerry.	Merritt.
Denman.	Minor.
Duvall.	Montgomery.
Enderby.	Morse.
Eickenroht.	Moursund.
Farrar.	Murphy.
Faulk.	Nabors.
Fly.	Olsen.
Forbes.	Pavlica.
Foster.	Petsch.
Gibson.	Poage.
Gilbert.	Pool.
Graves.	Pope.
Hall.	Porter.
Harding.	Powell.
Harman.	Purl.
Hefley.	Rawlins.

Reagan.	Stout.
Renfro	Swain.
of Angelina.	Taylor.
Rogers of Hays.	Teer.
Rogers of Shelby.	Turner.
Rowell.	Van Zandt.
Runge.	Waddell.
Sanders.	Wallace of Smith.
Satterwhite.	Ware.
Shearer.	Wassell.
Sheats.	Webb.
Shirley.	Whitaker.
Simmons.	Williams
Sinks.	of Sabine.
Smith of Smith.	Williams
Smyth.	of Travis.
Snelgrove.	Woodall.
Stevenson.	Young.
Storey.	

Absent.

Albritton.	Loy.
Bateman.	Masterson.
Beck.	McCombs.
Brice.	Nicholson.
Cox.	Parish of Runnels.
Dielmann.	Parrish of Travis.
Dunlap.	Pearce.
Finlay.	Renfro of Mills.
Fuchs.	Shaver.
Gates.	Smith of Atascosa.
Gray.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Hogg.	Stell.
Hornaday.	Sutton.
Jacks.	Tillotson.
Johnson	Veatch.
of Anderson.	Walker.
Jones.	Wallace
Kemble.	of Freestone.
Kenyon.	Wallace of Panola.
Kinnear.	Wells.
Kirby.	Williamson.
Loftin.	Woodruff.

Absent—Excused.

King of Hopkins.

HOUSE BILL NO. 74 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 74, A bill to be entitled "An Act amending Article 416, Chapter —, of the Penal Code of 1925, relating to the drawing of juries; defining the duties of certain officers in connection therewith, and providing a penalty for the failure to perform such duties."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 74 ON THIRD READING.

Mr. Gilbert moved that the constitutional rule requiring bills to be read

on three several days be suspended and that House bill No. 74 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Alexander.	Morse.
Anderson.	Moursund.
Avis.	Murphy.
Barnett.	Nabors.
Bass.	Olsen.
Bird.	Pavlica.
Black.	Poage.
Boggs.	Pool.
Boon.	Pope.
Branch.	Porter.
Brown.	Powell.
Conway.	Purl.
Cornwell.	Rawlins.
Cummings.	Reagan.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Rogers of Hays.
Denman.	Rogers of Shelby.
Duvall.	Rowell.
Enderby.	Runge.
Farrar.	Sanders.
Faulk.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Foster.	Simmons.
Gibson.	Sinks.
Gilbert.	Smyth.
Graves.	Snelgrove.
Gray.	Stell.
Hall.	Stevenson.
Harding.	Storey.
Harman.	Stout.
Hefley.	Taylor.
High.	Teer.
Holder.	Tillotson.
Holland.	Turner.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Justice.	Wallace
Kayton.	of Freestone.
Keeton.	Wallace of Smith.
King of	Ware.
Throckmorton.	Wassell.
Kirkland.	Webb.
Land.	Wells.
Lewis.	Whitaker.
Lipscomb.	Williams
Long.	of Sabine.
McGill.	Williams
McKean.	of Travis.
Merritt.	Williamson.
Minor.	Woodall.
Montgomery.	Young.

Present—Not Voting.

Kincaid.

Absent.

Acker.
Albritton.

Barron.
Bateman.

Beck.	Loy.
Brice.	Masterson.
Cox.	McCombs.
Dielmann.	Nicholson.
Dunlap.	Parish of Runnels.
Eickenroht.	Parrish of Travis.
Finlay.	Pearce.
Fuchs.	Petsch.
Gates.	Renfro of Mills.
Hagaman.	Satterwhite.
Hogg.	Shaver.
Hornaday.	Smith of Atascosa.
Jacks.	Smith of El Paso.
Johnson	Smith of Nueces.
of Anderson.	Smith of Smith.
Jones.	Sutton.
Kemble.	Swain.
Kennedy.	Veatch.
Kenyon.	Walker.
Kinnear.	Wallace of Panola.
Kirby.	Woodruff.
Loftin.	

Absent—Excused.

King of Hopkins.

The Speaker then laid House bill No. 74 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Alexander.	Holland.
Anderson.	Johnson
Avis.	of Dimmit.
Barnett.	Justice.
Bass.	Kayton.
Bird.	Keeton.
Black.	Kennedy.
Boggs.	King of
Bonham.	Throckmorton.
Boon.	Kirkland.
Branch.	Land.
Brown.	Lewis.
Conway.	Long.
Cornwell.	McCombs.
Cummings.	McGill.
Daniel.	McKean.
Davis.	Merritt.
DeBerry.	Minor.
Duvall.	Montgomery.
Enderby.	Morse.
Faulk.	Moursund.
Fly.	Murphy.
Forbes.	Nabors.
Foster.	Olsen.
Gibson.	Pavlica.
Gilbert.	Petsch.
Graves.	Poage.
Gray.	Pool.
Hall.	Pope.
Harding.	Porter.
Harman.	Powell.
Hefley.	Purl.
Holder.	Reagan.

Renfro	Teer.
of Angelina.	Tillotson.
Rogers of Hays.	Turner.
Rogers of Shelby.	Van Zandt.
Rowell.	Waddell.
Sanders.	Wallace
Satterwhite.	of Freestone.
Shearer.	Wallace of Smith.
Sheats.	Ware.
Shirley.	Wassell.
Simmons.	Webb.
Sinks.	Wells.
Smyth.	Whitaker.
Snelgrove.	Williams
Stell.	of Sabine.
Stevenson.	Williams
Storey.	of Travis.
Stout.	Williamson.
Swain.	Woodall.
Taylor.	Young.

Nays—1.

Denman.

Present—Not Voting.

Farrar.
High.

Kincaid.

Absent.

Acker.
Albritton.
Barron.
Bateman.
Beck.
Brice.
Cox.
Dielmann.
Dunlap.
Eickenroht.
Finlay.
Fuchs.
Gates.
Hagaman.
Hogg.
Hornaday.
Jacks.
Johnson
of Anderson.
Jones.
Kemble.
Kenyon.
Kinnear.

Kirby.
Lipscomb.
Loftin.
Loy.
Masterson.
Nicholson.
Parish of Runnels.
Parrish of Travis.
Pearce.
Rawlins.
Renfro of Mills.
Runge.
Shaver.
Smith of Atascosa.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Sutton.
Veatch.
Walker.
Wallace of Panola.
Woodruff.

Absent—Excused.

King of Hopkins.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2.

Mr. Teer, chairman, submitted the following conference committee report on Senate bill No. 2:

Committee Room,
Austin, Texas, May 26, 1927.

Hon. Barry Miller, President of the Senate, and Hon. R. L. Bobbitt, Speaker of the House of Representatives.

Sirs: We, your conference committee appointed to consider the differences between the two houses on

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay salaries of judges, and the support and maintenance of the judicial department of the State government for the two-year period beginning September 1, 1927, and ending August 31, 1929, and declaring an emergency,"

Have had the same under consideration and have adjusted the differences, and recommend the passage of the following substitute bill:

Conference Committee Substitute for
Senate bill No. 2.

A BILL

To Be Entitled

An Act making appropriations to pay salaries of judges, and the support and maintenance of the judicial department of the State government for the two-year period beginning September 1, 1927, and ending August 31, 1929, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby, appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the salaries of judges, and for the support and maintenance of the Judicial Department of the State Government for the two-year period beginning September 1, 1927, and ending August 31, 1929.

Court of Civil Appeals, First District,
Galveston.

	For Years Ending	
	Aug. 31, 1928.	Aug. 31, 1929.

Salaries of:

Three judges.....	\$21,000	\$21,000
Clerk	3,000	3,000
Deputy clerk.....	1,500	1,500
Stenographer	1,500	1,500
Porter	720	720
Books for library.....	800	800

		For Years Ending				For Years Ending	
		Aug. 31,	Aug. 31,			Aug. 31,	Aug. 31,
		1928.	1929.			1928.	1929.
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses.	600	600		Clerk	3,000	3,000	
Fuel and lights.....	350	350		Deputy clerk.....	1,500	1,500	
Furniture and typewriters	200	100		Stenographer	1,500	1,500	
Totals	\$29,670	\$29,570		Porter	720	720	
Court of Civil Appeals, Second District, Fort Worth.				Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses..	750	750	
Salaries of:				Books for library....	500	500	
Three judges.....	\$21,000	\$21,000		Furniture	100	100	
Clerk	3,000	3,000		Totals	\$29,070	\$29,070	
Deputy clerk.....	1,500	1,500		Court of Civil Appeals, Fifth District, Dallas.			
Stenographer	1,500	1,500		Salaries of:			
Porter	720	720		Three judges.....	\$21,000	\$21,000	
Books for library....	800	800		Clerk	3,000	3,000	
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses.	650	650		Deputy clerk.....	1,500	1,500	
Repairs on furniture..	50	50		Stenographer	1,500	1,500	
Bookcases for library.	500			Porter	720	720	
Binding library books.	500			Books for library....	800	800	
Furniture and fixtures	250	250		Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses.	650	650	
Typewriter	106			Total	\$29,170	\$29,170	
Totals	\$30,576	\$29,470		Court of Civil Appeals, Sixth District, Texarkana.			
Court of Civil Appeals, Third District, Austin.				Salaries of:			
Salaries of:				Three judges.....	\$21,000	\$21,000	
Three judges.....	\$21,000	\$21,000		Clerk	3,000	3,000	
Clerk	3,000	3,000		Deputy clerk.....	1,500	1,500	
Deputy clerk.....	1,500	1,500		Stenographer	1,500	1,500	
Stenographer	1,500	1,500		Porter	720	720	
Porter	720	720		Bookcases for library.	100	100	
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses.	800	800		Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses.	750	750	
Books for library....	400	400		Light and fuel.....	300	300	
Typewriters	250			Books for library and subscription	750	750	
Renovation of quarters, including refinishing walls, woodwork and furniture, floor coverings and new furniture	1,000			Typewriters	100	150	
Totals	\$30,170	\$28,920		Filing cases.....	100		
Court of Civil Appeals, Fourth District, San Antonio.				Furniture and desks..	100	150	
Salaries of:				Totals	\$29,920	\$29,920	
Three judges.....	\$21,000	\$21,000		Court of Civil Appeals, Seventh District, Amarillo.			
				Salaries of:			
				Three judges.....	\$21,000	\$21,000	
				Clerk	3,000	3,000	

For Years Ending			For Years Ending		
Aug. 31, 1928.			Aug. 31, 1929.		
Deputy clerk.....	1,500	1,500	ery, ice, telephone,		
Stenographer	1,500	1,500	telegraph, express,		
Porter	720	720	postage, box rent and		
Books for library....	800	800	contingent expenses.	800	800
Record books, station-			Typewriters	100	100
ery, ice, telephone,			Filing cases and fur-		
telegraph, express,			niture	250	250
postage, box rent, con-			Totals	\$29,870	\$29,870
tingent and fuel...	700	700	Court of Civil Appeals, Eleventh Dis-		
Totals	\$29,220	\$29,220	trict, Eastland.		
Court of Civil Appeals, Eighth District,			Salaries of:		
El Paso.			Three judges	\$21,000	\$21,000
Salaries of:			Clerk	3,000	3,000
Three judges.....	\$21,000	\$21,000	Deputy clerk	1,500	1,500
Clerk	3,000	3,000	Stenographer	1,500	1,500
Deputy clerk.....	1,500	1,500	Porter	720	720
Stenographer	1,500	1,500	Record books, station-		
Porter	720	720	ery, ice, telephone,		
Books for library....	800	800	telegraph, express,		
Typewriters	100	100	postage, box rent		
Furniture	100	100	and contingent ex-		
Record books, station-			penses	600	600
ery, ice, telephone,			Typewriters	100	100
telegraph, express,			Fuel and lights.....	300	300
postage, box rent and			Furniture and fixtures	500	
contingent expenses.	700	700	Library and upkeep..	500	500
Steel book rack.....	250		Totals	\$29,720	\$29,220
Totals	\$29,670	\$29,420	Supreme Court.		
Court of Civil Appeals, Ninth District,			Salaries of:		
Beaumont.			Three judges	\$24,000	\$24,000
Salaries of:			Clerk	2,500	2,500
Three judges.....	\$21,000	\$21,000	Reporter	3,000	3,000
Clerk	3,000	3,000	Three law clerks and		
Deputy clerk	1,500	1,500	stenographers	5,400	5,400
Stenographer	1,500	1,500	Assistant librarian		
Porter	720	720	and marshal	1,500	1,500
Books for library....	500	500	Porter for judges'		
Record books, station-			rooms	720	720
ery, ice, telephone,			Porter for court room,		
telegraph, express,			clerk's office and		
postage, box rent,			library	720	720
laundry and contin-			Furniture, record		
gent expenses	600	600	books, stationery,		
Filing cases	200		typewriters, postage		
Totals	\$29,020	\$28,820	and express	2,000	2,000
Court of Civil Appeals, Tenth District,			Book cases for library	2,000	
Waco.			Purchase of law books		
Salaries of:			selected by the court,		
Three judges.....	\$21,000	\$21,000	and for rebinding...	3,000	3,000
Clerk	3,000	3,000	Contingent expenses .	300	300
Deputy clerk	1,500	1,500	Deputy clerk, acting as		
Stenographer	1,500	1,500	secretary to Board		
Porter	720	720	of Legal Examiners,		
Books for library....	1,000	1,000	shall receive \$1000		
Record books, station-			per annum; paid		
			monthly out of fees		
			of clerk's office.		
			Totals	\$45,140	\$43,140

Commission of Appeals, Sections A and B.		For Years Ending	
		Aug. 31, 1928.	Aug. 31, 1929.
Salaries of:			
Six judges	\$42,000	\$42,000	
Three stenographers ..	4,500	4,500	
Porter	720	720	
Record books, rental and purchase of law books; stationery, furniture, telephone, postage and contingent expenses	1,500	1,500	
Totals	\$48,720	\$48,720	
Court of Criminal Appeals, Austin.			
Salaries of:			
Three judges	\$24,000	\$24,000	
Clerk	3,000	3,000	
Bailiff and secretary ..	2,400	2,400	
Two secretaries	4,800	4,800	
Court reporter	4,000	4,000	
Porter	720	720	
Postage and box rent.	250	250	
Law books	500	500	
Record books and stationery	800	800	
Contingent expenses ..	200	200	
Furniture, file cases and pictures of deceased judges	300	300	
Telephones	200	200	
Filing envelopes	500		
Typewriters	250		
Totals	\$41,920	\$41,170	
State's Attorney Before Court of Criminal Appeals.			
State's Attorney	\$ 3,600	\$ 3,600	
Law clerk and stenographer	1,800	1,800	
Furniture and book cases	100	100	
Law books	100	100	
Telephone, postage, box rent and contingent expenses	185	185	
Totals	\$ 5,785	\$ 5,785	
Commission of Appeals to Aid Court of Criminal Appeals.			
Two commissioners ..	\$14,000	\$14,000	
Two stenographers ...	3,600	3,600	
Law books	250	250	
Telephones	120	120	
Furniture and contingent expenses	150	150	
Totals	\$18,120	\$18,120	

Judiciary—Comptroller's Department.

	For the Years Ending	
	August 31, 1928	August 31, 1929
One hundred and three district judges	\$ 515,000.00	\$ 515,000.00
Forty-nine district attorneys	24,500.00	24,500.00
Expenses judges and district attorneys, as allowed by Thirty-eighth Legislature, payable in quarterly installments	45,000.00	45,000.00
Five criminal district attorneys	2,500.00	2,500.00
Assistant district attorney in El Paso and Bexar counties	2,500.00	2,500.00
Criminal district judges (six) after January 1, 1928, seven	33,333.33	35,000.00
Expenses of attached witnesses and witness fees and mileage allowed witnesses in felony cases, who reside in counties other than the county in which the cause is being tried	300,000.00	300,000.00
Fees of county attorneys, justices of peace, sheriffs and constables in examining trials	125,000.00	125,000.00
Fees and costs of sheriffs, attorneys and clerks in felony cases	700,000.00	700,000.00
Fees, costs and per diem of forty-nine district attorneys, 175 days at \$20 per day	171,500.00	171,500.00
To pay salary of special judges and expenses of district judges for holding court out of their own counties	15,000.00	15,000.00

	For the Years Ending	
	August 31, 1928	August 31, 1929
To pay special judges of Supreme Court, Courts of Criminal and Civil Appeals, where disqualification of the regular judge exists, and special judges are appointed	5,000.00	5,000.00
To pay fees and costs of officials in cases of escheated estates, including cases on which such costs and fees have already accrued and are owing by the State	100.00	100.00
For the payment of transcript in cases where the court is required to and does appoint an attorney to represent the defendant in a criminal action, and where the official reporter is required and does furnish the attorney for the defendant (if convicted) with a transcript of his notes, as is provided by law	2,500.00	2,500.00
To pay district attorney and two assistants, El Paso District	12,300.00	12,300.00
To pay district attorney, Thirtieth Judicial District, as per House bill No. 98, Acts Regular Session, Fortieth Legislature	2,500.00	2,500.00
Totals	\$ 1,956,733.33	\$ 1,958,400.00

Provided that the amounts herein appropriated for each item as herein stated, and no more, shall be paid out of the general revenue for the judiciary during the fiscal years beginning September 1, 1927, and ending August 31, 1929, and no surplus shall be diverted from one account to another.

Provided that all accounts under this section, which require the approval of any district judge, shall be examined by the Comptroller, and, if correct, he shall issue his warrant therefor, but if he shall find same incorrect, in whole or in part, he may within a reasonable time cause an audit of same to be made before warrant is issued.

Provided that the Governor, in case of an extraordinary emergency, may authorize a deficiency for such purpose or purposes which could not have been anticipated or provided for by the Legislature. All moneys appropriated by this Act shall remain in the State Treasury and be paid out only as it is expended, or as the necessity or emergency may require.

Provided, that it shall be the duty of the clerks of the various courts above mentioned, on the first Monday in July, October, January and April of each year, to make a report to the Comptroller, showing the amount of fees collected each quarter, giving the number of cases, but not necessarily the style of case, together with the fees from other sources, stating in each instance the source.

Fees shall be fixed, charged and collected from book companies, litigants, and their attorneys, and all others, for all unofficial and certified copies of opinions of the court made or furnished by said court or the clerk, stenographers or other employes thereof, and fees shall be fixed, charged and collected for all other services rendered by said court, the clerk, stenographers or other employes to book companies, litigants and their attorneys and all others not now furnished or required to be furnished free of charge; and all of said fees and charges, when collected, shall be paid into the Treasury of the State of Texas.

Provided, that each and every employe under this Act shall be paid by voucher, issued in his or her name; said voucher shall state the amount of salary or sum due, and for what services performed, with the date and time of such service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers indorsed by the payee.

Sec. 2. The fact that the above and foregoing is one of the regular appropriation bills for the support of the State government for the two fiscal years beginning September 1, 1927, and ending August 31, 1929, creates a necessity for the expediting of the passage of this appropriation bill, and, therefore, creates an emergency and an imperative public necessity which demands that the rule requiring bills to be read on three several days be suspended, and that this bill become effective from and after its passage, and it is so enacted.

Recapitulation.

	For the Years Ending	
	August 31, 1928	August 31, 1929
Court of Civil Appeals, First District.....	\$ 29,670.00	\$ 29,570.00
Court of Civil Appeals, Second District.....	30,576.00	29,470.00
Court of Civil Appeals, Third District.....	30,170.00	28,920.00
Court of Civil Appeals, Fourth District.....	29,070.00	29,070.00
Court of Civil Appeals, Fifth District.....	29,170.00	29,170.00
Court of Civil Appeals, Sixth District.....	29,920.00	29,920.00
Court of Civil Appeals, Seventh District.....	29,220.00	29,220.00
Court of Civil Appeals, Eighth District.....	29,670.00	29,420.00
Court of Civil Appeals, Ninth District.....	29,020.00	28,820.00
Court of Civil Appeals, Tenth District.....	29,870.00	29,870.00
Court of Civil Appeals, Eleventh District.....	29,720.00	29,220.00
Supreme Court	45,140.00	43,140.00
Commission of Appeals, Sections A and B.....	48,720.00	48,720.00
Court of Criminal Appeals.....	41,920.00	41,170.00
State's Attorney before Court of Criminal Appeals..	5,785.00	5,785.00
Commission of Appeals, to aid Court of Criminal Appeals	18,120.00	18,120.00
Judiciary, Comptroller's Department.....	1,956,733.44	1,958,400.00
Grand totals	\$ 2,442,494.33	\$ 2,438,005.00
Grand total for biennium.....	\$ 4,880,499.33	

BAILEY,
WOOD,
WIRTZ,
MILLER,
LEWIS,

On the part of the Senate.

TEER,
FLY,
STOREY,
RAWLINS,
SINKS,

On the part of the House.

On motion of Mr. Teer the report was adopted.

HOUSE BILL NO. 63 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 63, A bill to be entitled "An Act declaring unlawful the sale or offer for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, overripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public; defining terms; providing for the inspection of citrus fruits and issuance of certificates of inspection thereof; providing for the purchase and affixing of stamps in connection with the marketing or transportation of such citrus fruits; providing for the appointment of persons to inspect the same and fixing their compensation; defining certain offenses; prescribing the power and duties of the Commissioner of Agriculture with regard to the provisions of this act; providing for the enforcement thereof and prescribing

penalties for violation of any of the provisions of this act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 63 ON THIRD READING.

Mr. Montgomery moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 63 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Alexander.
Anderson.
Avis.
Barnett.
Barron.
Bass.
Bird.
Black.
Boggs.
Bonham.
Boon.
Branch.
Brown.
Conway.

Cornwell.
Cummings.
Davis.
DeBerry.
Denman.
Duvall.
Enderby.
Farrar.
Faulk.
Fly.
Forbes.
Foster.
Gibson.
Gilbert.

Graves.	Purl.
Hall.	Rawlins.
Harding.	Reagan.
Harman.	Rogers of Hays.
Hefley.	Rogers of Shelby.
High.	Rowell.
Holder.	Runge.
Holland.	Sanders.
Johnson	Satterwhite.
of Dimmit.	Shearer.
Justice.	Sheats.
Kayton.	Shirley.
Keeton.	Simmons.
King of	Sinks.
Throckmorton.	Snelgrove.
Kirkland.	Stell.
Land.	Stevens.
Lewis.	Storey.
Lipscomb.	Swain.
Long.	Taylor.
Loy.	Tillotson.
McCombs.	Turner.
McGill.	Van Zandt.
McKean.	Veatch.
Merritt.	Wallace
Minor.	of Freestone.
Montgomery.	Wallace of Smith.
Morse.	Ware.
Moursund.	Wassell.
Murphy.	Webb.
Nabors.	Wells.
Olsen.	Whitaker.
Pavlica.	Williams
Pearce.	of Sabine.
Petsch.	Williams
Pool.	of Travis.
Pope.	Williamson.
Porter.	Woodall.
Powell.	Young.

Nays—4.

Kennedy.	Poage.
Kincaid.	Stout.

Absent.

Acker.	Kemble.
Albritton.	Kenyon.
Bateman.	Kinnear.
Beck.	Kirby.
Brice.	Loftin.
Cox.	Masterson.
Daniel.	Nicholson.
Dielmann.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Eickenroht.	Renfro
Finlay.	of Angelina.
Fuchs.	Renfro of Mills.
Gates.	Shaver.
Gray.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Hogg.	Smith of Nueces.
Hornaday.	Smith of Smith.
Jacks.	Smyth.
Johnson	Sutton.
of Anderson.	Teer.
Jones.	Waddell.

Walker.	Woodruff.
Wallace of Panola.	

Absent—Excused.

King of Hopkins.

The Speaker then laid House bill No. 63 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Acker.	Morse.
Alexander.	Moursund.
Anderson.	Murphy.
Barnett.	Nabors.
Barron.	Pavlica.
Bass.	Pearce.
Bird.	Petsch.
Black.	Pool.
Boggs.	Pope.
Bonham.	Porter.
Boon.	Powell.
Branch.	Purl.
Brown.	Renfro
Conway.	of Angelina.
Cornwell.	Rogers of Hays.
Cummings.	Rogers of Shelby.
Davis.	Rowell.
DeBerry.	Runge.
Denman.	Sanders.
Duvall.	Satterwhite.
Enderby.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Foster.	Simmons.
Gibson.	Sinks.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hall.	Stell.
Harding.	Stevenson.
Harman.	Storey.
Hefley.	Swain.
Holder.	Taylor.
Holland.	Tillotson.
Johnson	Turner.
of Dimmit.	Van Zandt.
Justice.	Veatch.
Kayton.	Waddell.
Keeton.	Wallace
King of	of Freestone.
Throckmorton.	Wallace of Smith.
Kirkland.	Ware.
Lewis.	Wassell.
Lipscomb.	Webb.
Long.	Whitaker.
Loy.	Williams
McCombs.	of Sabine.
McGill.	Williams
McKean.	of Travis.
Merritt.	Williamson.
Minor.	Woodall.
Montgomery.	

Nays—6.

Avis.	Kincaid.
High.	Poage.
Kennedy.	Stout.

Present—Not Voting.

Farrar.	Reagan.
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Absent.

Albritton.	Kinnear.
Bateman.	Kirby.
Beck.	Land.
Brice.	Loftin.
Cox.	Masterson.
Daniel.	Nicholson.
Dielmann.	Olsen.
Dunlap.	Parish of Runnels.
Eickenroht.	Parrish of Travis.
Faulk.	Rawlins.
Finlay.	Renfro of Mills.
Fuchs.	Shaver.
Gates.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Hogg.	Smith of Nueces.
Hornaday.	Sutton.
Jacks.	Teer.
Johnson	Walker.
of Anderson.	Wallace of Panola.
Jones.	Wells.
Kemble.	Woodruff.
Kenyon.	Young.

Absent—Excused.

King of Hopkins.

HOUSE BILL NO. 75 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 75, A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes of 1925 relating to the selection of jurors for service in the district and county courts, so as to make said article apply in any county having a city of as many as 20,000 population, or cities containing an aggregate population of as many as 20,000, as shown by the preceding Federal census, and declaring an emergency."

The bill was read second time.

Mr. Wassell offered the following amendment to the bill:

Amend House bill No. 75 by striking out the figures "20,000" wherever they occur and inserting in lieu thereof "10,000."

The amendment was adopted.

House bill No. 75 was then passed to engrossment.

SENATE BILL NO. 35 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 35, A bill to be entitled "An Act providing for the separation of all public free school affairs in cities or towns from the municipal government therein; providing that all the power and authority over such schools shall be exercised by such cities or towns through their boards of education; providing for the election of trustees of the independent districts authorized herein; vesting the title of school property of such cities and towns in the independent districts; authorizing the independent districts to assume outstanding bonds of cities and towns issued for school purposes; repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendments to the bill:

Amend Senate bill No. 35 by striking out in line 2, Section 1 of the bill, the figures "44,255" and insert in lieu thereof the following: "not less than 38,000 and not more than 39,000 according to the United States Census of 1920, and every incorporated city or town having a population of not less than 44,000, and not more than 45,000."

Signed—Harman, Shearer.

Amend the caption of Senate bill No. 35, by adding after the word "towns" in line 4 of said caption of the bill, the following: "having a population of not less than 38,000 and not more than 39,000, according to the United States Census of 1920, and every incorporated city or town having a population of not less than 44,000 and not more than 45,000, according to said census."

Signed—Harman, Shearer.

The amendments were severally adopted.

Senate bill No. 35 was then passed to third reading.

ADJOURNMENT.

Mr. Van Zandt moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Stevenson moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Van Zandt pre-

vailed and the House accordingly, at 4:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Privileges, Suffrage and Elections: House bill No. 57.

Highways and Motor Traffic: House bills Nos. 25, 13.

Revenue and Taxation: House bill No. 22.

State Affairs: House bill No. 62.

Public Health: House bills Nos. 43, 44.

Criminal Jurisprudence: House bill No. 58.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, May 30, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 2, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the fiscal years ending August 31, 1928, and August 31, 1929, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 30, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 16, A bill to be entitled "An Act to provide for the eradication of scabies among sheep and cattle; to provide adequate quarantine and sanitary measures; to provide for the inspection and dipping and certification of said live stock, and to provide adequate penalties for violation of quarantine and dipping order of the Live Stock Sanitary Commission, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 37, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Bowie county, Texas, and conform the jurisdiction of the district courts of such county to such change,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 30, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 9, A bill to be entitled "An Act appropriating one and a half million (\$1,500,000) dollars per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with conditions herein specified; providing certain prerequisites for the granting of such aid; providing for the maintenance of all rural schools which meet the requirements a term not exceeding six months solely out of State and county school funds; providing aid for schools where extraordinary conditions prevent schools meeting all stated requirements; providing limited equipment for rural schools that will afford instruction and demonstration in home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a countywide plan; providing for the administration of this fund by the State Department of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 62, A bill to be entitled "An Act to ratify and confirm the title of J. H. Cole and all other persons holding a chain of title from W. H. Walters in and to a tract of land in Nacogdoches county, known as the W. H. Walters labor of land, and containing 177 acres of land, and to disavow and relinquish the right, claim and title of the State of Texas in and to said land,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 26, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Wilson county, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 45, A bill to be entitled "An Act creating a more efficient road system for Robertson county, Texas; providing that the commissioners court shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the roads, teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with

the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Robertson county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and levy a tax in payment thereof, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 39, A bill to be entitled "An Act to amend Chapter 97 as passed by the Thirty-ninth Legislature, creating a more efficient road system for Wood county; making the county commissioners ex-officio road supervisors for their respective precincts in said county; defining their powers and duties as such supervisors; providing for their compensation as such; providing for the working of hands on public roads who fail to pay the road tax provided for herein; providing that no hands shall be apportioned to work on any highway maintained by the State of Texas; providing that hands subject to road duty may be apportioned to roads in the precinct of their residence, other than the public road nearest to them; providing for the working of county convicts upon the public roads; providing for notice to be served upon hands subject to road duty, and penalty for violating such notice; providing for the collection and disbursement of certain moneys and the payment of fees for service rendered in connection herewith by certain county officials; prohibiting the use of any of the property belonging to Wood county to be used in its road work for any private purpose, and fixing penalties for violation of this act and penalties for the enforcement of the provisions of this act, declaring the provisions of this act cumulative of all general laws of the State of Texas upon this subject, and for the repeal of all special road laws heretofore enacted for Wood county, and parts thereof, when

in conflict with any of the provisions of this act, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 41, A bill to be entitled "An Act for the relief of the Independent School District of Rock Springs and the city of Rock Springs, in Edwards county, Texas, in order to aid said municipalities in the reconstruction of public property destroyed by the recent cyclone in that community on the 12th day of April, 1927; granting and appropriating to said school district the sum of fifty thousand (\$50,000) dollars for school building purposes, the sum of fifteen thousand (\$15,000) dollars for equipping school buildings, the sum of ten thousand (\$10,000) dollars for maintenance of its schools, for the school year ending in 1928, and the sum of five thousand (\$5,000) dollars for maintenance of its schools for the school year ending in 1929; granting and appropriating to said city of Rock Springs the sum of twenty thousand (\$20,000) dollars for rebuilding and rehabilitating its waterworks system; prescribing manner in which the funds hereby granted and appropriated shall be paid, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 30, A bill to be entitled "An Act creating Road District No. 4, in Wheeler county, Texas; validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district; validating the authorization, issuance, and sale of certain road bonds thereof and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said road district,

bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

FOURTEENTH DAY.

(Tuesday, May 31, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker.	Jacks.
Albritton.	Johnson
Anderson.	of Dimmit.
Avis.	Justice.
Barnett.	Kayton.
Barron.	Keeton.
Bass.	Kemble.
Beck.	Kennedy.
Bird.	Kincaid.
Black.	King of Hopkins.
Boggs.	Kirkland.
Bonham.	Land.
Boon.	Lewis.
Branch.	Lipscomb.
Brice.	Long.
Brown.	Loy.
Conway.	McCombs.
Cornwell.	McGill.
Cox.	McKean.
Cummings.	Merritt.
Daniel.	Minor.
Davis.	Montgomery.
DeBerry.	Morse.
Denman.	Moursund.
Dielmann.	Murphy.
Duvall.	Nabors.
Enderby.	Nicholson.
Eickenroht.	Olsen.
Farrar.	Parish of Runnels.
Faulk.	Parrish of Travis.
Finlay.	Pavlica.
Fly.	Pearce.
Forbes.	Petsch.
Foster.	Poage.
Gibson.	Pool.
Gilbert.	Pope.
Graves.	Porter.
Gray.	Powell.
Hall.	Purl.
Harding.	Rawlins.
Harman.	Reagan.
Hefley.	Renfro
High.	of Angelina.
Hogg.	Rogers of Hays.
Holder.	Rogers of Shelby.
Holland.	Rowell.